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Labrador, in his official capacity as
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Brad Little, in his official capacity as
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Director of the Idaho Department of
Corrections; and Bree Derrick, in her
official capacity as the Deputy Director
of IDOC*

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO**

COLE ROBINSON, et al.

Plaintiffs,

v.

RAÚL LABRADOR, in his official
capacity as Attorney General of the
State of Idaho; et al.

Defendants.

Case No. 1:24-cv-00306-DCN

**GOVERNOR LITTLE AND
ATTORNEY GENERAL
LABRADOR'S MOTION TO
DISMISS**

Plaintiffs have included Governor Little and Attorney General Labrador, in their official capacities, as Defendants in this lawsuit. But they scarcely mention either party in their complaint. The only allegations against Governor Little are that he signed HB 668, and that he has supreme executive authority. And the only allegation against Attorney General Labrador is that he has authority to bring legal action to enforce HB 668.

These allegations are not sufficient to state a claim against either Governor Little or Attorney General Labrador. Accordingly, in accordance with both Rule 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, Governor Little and Attorney General Labrador move to dismiss with prejudice all claims directed against them.

Defendants concurrently file a brief in support of this motion, which they adopt by reference. Therefore, Governor Little and Attorney General Labrador request that the Court dismiss all claims with prejudice, and provide all other relief that is just.

Dated: September 9, 2024

Office of the Attorney General

By: /s/ James J. Simeri
JAMES J. SIMERI
Deputy Attorney General

CERTIFICATE OF SERVICE

I CERTIFY that on September 9, 2024, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system, which sent a Notice of Electronic Filing to the following persons:

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