IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA Plaintiff, v. ANTHONY ALBENCE, in his official capacity as State Election Commissioner of the State of Delaware, Defendant.	)	Civil Action No. 1:25-cv-01453-RGA

DEFENDANT'S MOTION TO DISMISS

Defendant Anthony Albence, in his official capacity as State Election Commissioner of the State of Delaware, by and through undersigned counsel, hereby moves to dismiss Plaintiff United States of America's Complaint (D.I. 1) under Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim on which relief can be granted. Consistent with L.R. 7.1.3, Commissioner Albence sets forth the grounds for dismissal in his accompanying memorandum of law.

WHEREFORE, the Commissioner respectfully requests this Court grant the motion and dismiss the United States' Complaint.

Respectfully submitted,

STATE OF DELAWARE
DEPARTMENT OF JUSTICE

/s/ Ian R. Liston
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