

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

Murray Dines, d/b/a Terpene
Distribution,

Plaintiff,

v.

Laura Kelly, in her official capacity as
Governor of the State of Kansas, and
Derek Schmidt, in his official capacity
as Attorney General of the State of
Kansas,

Defendants.

Case No. 2:22-CV-02248-
KHV-GEB

Motion to Dismiss Governor Kelly

Pursuant to Fed. R. Civ. P. 12(b)(1), Defendant Governor Laura Kelly moves the Court for an order dismissing her for lack of subject matter jurisdiction given the Eleventh Amendment precludes the official capacity suit against her.

The Memorandum in Support of Motion to Dismiss Governor Kelly, filed contemporaneously with motion, is incorporated here.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on July 8, 2022, a copy of the foregoing Motion to Dismiss or Stay was filed and served via the Court's electronic filing system on all counsel of record.

s/ Arthur S. Chalmers