UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE

JEFFREY RYAN FENTON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 3:24-cv-01282
	)	Jury Demanded
VIRGINIA LEE STORY, ET AL.,	)	
	)	
Defendants.	)	

STATE DEFENDANTS' MOTION TO DISMISS

The State of Tennessee, the Tennessee Administrative Office of the Courts (AOC), the Tennessee Court of Appeals Middle Division, the Chancery Court for Williamson County, the Supreme Court of Tennessee, the Board of Professional Responsibility, Jude Frank Clement, Jude Andy Bennett, Judge William Neal McBrayer, Chancellor Michael Binkley, Appellate Court Clerk James Hivner, AOC General Counsel John Coke, and AOC Chief Disciplinary Officer Sandra Garrett ("State Defendants") move to dismiss under Fed. R. Civ. P. 12(b)(6) for failure to state a claim upon which relief can be granted.

Eleventh Amendment immunity bars suits against the State, state agencies, and state officials in their official capacity. Absolute judicial immunity shields Chancellor Binkley from suit in his individual capacity. And the claims against Mr. Hivner, Mr. Coke, and Ms. Garrett in their individual capacities should be dismissed because a criminal statute does not create a private right of action and the statute of limitations bars the remaining civil claims. For these reasons, the State Defendants request that the Court grant their motion to dismiss.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify a true and exact copy of the foregoing has been sent via U.S. Mail on **December 20, 2024**, to the following:

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I certify a true and exact copy of the foregoing has been forwarded via the Court's electronic filing system on **December 20, 2024**, to the following:

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