UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JEFFREY RYAN FENTON,

Plaintiff,

v.

VIRGINIA LEE STORY, et al.,

Defendants.
_____/

Case No: 1:23-cv-01097

Hon. Paul L. Maloney
United States District Judge

Hon Ray Kent
United States Magistrate Judge

DEFENDANT HON. CHARLES WALKER'S
MOTION TO DISMISS

Defendant Hon. Charles Walker (Judge Walker) moves to dismiss the claims against him in this action pursuant to Federal Rules of Civil Procedure 12(b)(2), 12(b)(3), 12(b)(5), and 12(b)(6). As a federal bankruptcy judge, Judge Walker has absolute judicial immunity from all the claims asserted against him in this action, and the Court should dismiss them with prejudice. In addition, Plaintiff fails to plausibly allege facts sufficient to support any viable legal claim against Judge Walker. Finally, numerous procedural defects including lack of personal jurisdiction, improper venue, and failure to complete service of process justify dismissal. The Court therefore should dismiss the claims against Judge Walker.

This motion is supported by the accompanying brief.

Pursuant to W.D. Mich. LCivR 7.1(d), undersigned counsel called pro se Plaintiff to seek concurrence on October 23, 2024, and again on October 25, 2024, but each time was unable to speak to Plaintiff and left a voicemail message.

Respectfully submitted,

MARK A. TOTTEN
United States Attorney

Dated: October 25, 2024

s/ *Ryan D. Cobb*

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