UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

JEFFREY RYAN FENTON,

Plaintiff,

vs.

VIRGINIA LEE STORY, et al.,

Defendants.

Case No. 1:23-CV-1097

HON: PAUL L. MALONEY

MAG: RAY KENT

Jeffrey Ryan Fenton
17195 Silver Parkway #150
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Plaintiff
PRO SE

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"THE TENNESSEE DEFENDANTS'" MOTION TO DISMISS PURSUANT TO FED. R. CIV. P. 12(b)(2) AND 12(b)(3) FILED IN LIEU OF A FIRST RESPONSIVE PLEADING

NOW COME Elaine Beaty Beeler; Andy Dwane Bennett; Michael Weimar Binkley; Board of Professional Responsibility of the Supreme Court of Tennessee; Chancery Court for Williamson

County Tennessee; Frank Goad Clement, Jr.; John Brandon Coke; Sandra Jane Leach Garrett; James Michael Hivner; William Neal McBrayer; Supreme Court of the State of Tennessee; Tennessee Administrative Office of the Courts; Tennessee Court of Appeals Middle Division; State of Tennessee; Williamson County; Williamson County Sheriff's Office[1] (hereinafter known as "the Tennessee Defendants") by and through their attorneys, Lennon Miller, PLC, and for this Motion state:

1. In his Complaint, *Pro Se* Plaintiff, Jeffrey Ryan Fenton, seeks damages under myriad baseless claims and counts following his divorce from Fawn Fenton in the State of Tennessee.

2. Plaintiff is a resident of, and is located in, Michigan.

3. Plaintiff brought a lawsuit against numerous Defendants (including Judges; Courts; Governmental Entities, Offices, and Officers; Court Offices and Officers; and a County, a State, and different departments thereof) all of whom reside and/or are located in Tennessee.

4. Plaintiff wildly, and without merit, accuses all of the Defendants of numerous counts of fraud, coercion, vulnerable adult abuse, IIED, NIED, abuse of process, conspiracy, RICO, and violations of the U.S. Constitution as well as numerous statutes, the bankruptcy act and the ADA.

5. Venue in civil actions is governed by 28 U.S.C. § 1391(b). Michigan is an improper venue for this litigation.

6. Personal jurisdiction is governed by MCL 600.705. The Tennessee Defendants do not waive personal jurisdiction, have not availed themselves of acting in Michigan and do not have sufficient minimum contacts for personal jurisdiction to be exercised in Michigan.

[1] Williamson County Sheriff's Office is not a proper separate legal entity in the State of Tennessee.

7. While *pro se* pleadings are to be "liberally construed," they must still satisfy basic pleading requirements. Wells v Brown, 891 F2d 591, 594 (6th Cir 1989).

8. Plaintiff has failed to meet such basic pleading requirements as venue and personal jurisdiction and the case must be summarily dismissed.

9. This motion is made on a procedural basis and the Tennessee Defendants reserve their rights to further and future relief in this case. Retained Counsel's appearance in this matter, at this time, is limited to the relief sought in this motion and brief. The Tennessee Defendants retain and reserve all other defenses and the ability to file an answer and other responsive pleadings, including but not limited to issues with service of process, lack of service, statutes of limitations, Plaintiff's failure to state a claim, and other dispositive motions. For the efficiency of this matter and judicial economy, the Tennessee Defendants raise only the limited issues of venue and personal jurisdiction in the instant motion, but without waiver of any other defense.

10. The Tennessee Defendants rely upon this motion and the brief in support, as well as the case law interpreting Fed. R. Civ. P. 12(b)(2) and 12(b)(3).

WHEREFORE, the moving parties respectfully request that an Order be entered dismissing the Tennessee Defendants as party Defendants in this action pursuant to Fed. R. Civ. P. 12(b)(2) and 12(b)(3), along with any and all other appropriate relief.

/s/ Brian J. Gallagher

Dated: September 20, 2024

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CERTIFICATE OF SERVICE

I hereby certify that on September 20, 2024 I electronically filed the foregoing papers with the Clerk of the Court using the ECF/CM, which will send the instant filing and notification of same to all counsel electronically and served the Plaintiff the same document by mail.

Dated: September 20, 2024

/s/ Brian J. Gallagher
_____
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