IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

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

ELAINE BEELER'S MOTION TO DISMISS

Comes Defendant Elaine Beeler, by and through counsel, and pursuant to Rule 12(b)(5) and (6) of the Federal Rules of Civil Procedure, moves the Court to dismiss[1] the claims raised against her in the Amended Complaint.

For cause, Ms. Beeler would show that she has not been served with process in the time required by applicable law. Further, as to each of the Counts of the Amended Complaint, all claims against her are barred by the statute of limitations.[2] Even if not barred by the statute of limitations, the claims outlined in the Amended Complaint should be dismissed where Plaintiff fails to plead facts sufficient to state a claim upon which relief can be granted as to any of the claims against Ms. Beeler. In addition, the limited allegations against Beeler related to the Americans with Disabilities Act fail to state a claim because Title II of the Americans with Disabilities Act does not provide for a cause

[1] Ms. Beeler filed a limited appearance in the Western District of Michigan for purposes of challenging venue and jurisdiction in that Court. In light of the Court's transfer of the claim to the appropriate venue, Ms. Beeler now challenges the Amended Complaint on the basis of Plaintiff's failure to state a claim upon which relief can be granted.
[2] Williamson County Sheriff's Office was not named in the initial Complaint, but only in the Amended Complaint. Accordingly, if it were a separate entity from Williamson County, which it is not, the statute of limitations would bar any action arising more than a year prior to August 21, 2024, a year prior to the filing of the Amended Complaint.

of action against individual officials. For the foregoing reasons and as more specifically outlined in the Memorandum of Law filed herewith, Defendant Elaine Beeler respectfully requests that the claims against her be dismissed.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been filed and delivered via U.S. Priority Mail on December 6, 2024, to the following:

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