## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA

## **Richmond Division**

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Plaintiffs,

v. CASE NO. 3:19cv00332

VIRGINIA DEPARTMENT OF CORRECTIONS, et al.,

Defendants.

## **RULE 12 MOTION TO DISMISS**

COMES NOW Defendant Virginia Department of Corrections, pursuant to Rules 12(b)(1) and 12(b)(6) of the *Federal Rules of Civil Procedure*, and moves this Court to dismiss the claims against it. Pursuant to Fed. R. Civ. P. 12(g), Defendant has consolidated its Rule 12 defenses into this single motion. The reasons in support of this motion are set forth in a separate supporting memorandum, which is being contemporaneously-filed with the Court.

Respectfully submitted,

VIRGINIA DEPARTMENT OF CORRECTIONS, Defendant.

By: /s/

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## **CERTIFICATE OF SERVICE**

I hereby certify that on the 31st day of May, 2019, I electronically filed the foregoing Rule 12 Motion to Dismiss with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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And I hereby certify that I have mailed the document by United States Postal Service to the following non-filing user: N/A

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