

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

BLACK LIVES MATTER D.C., *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP, President of the
United States of America, *et al.*,

Defendants.

Civil Action No. 20-1469 (DLF)

**UNITED STATES' MOTION TO DISMISS PLAINTIFFS'
OFFICIAL CAPACITY CLAIMS AGAINST FEDERAL DEFENDANTS**

Plaintiffs bring this action against various officials of the District of Columbia and federal government, including the President, Attorney General William P. Barr, Secretary of Defense Mark Esper, Acting Chief of the U.S. Park Police Gregory T. Monahan, Director of the U.S. Secret Service James M. Murray, Commanding General of the D.C. National Guard William J. Walker, and Director of the Federal Bureau of Prisons Michael Carvajal (the “Official-Capacity Federal Defendants”). The United States respectfully moves for dismissal of Plaintiffs’ claims against the Official-Capacity Federal Defendants under Federal Rule of Civil Procedure (“Rule”) 12(b)(1) for lack of subject-matter jurisdiction and Rule 12(b)(6) for failure to state a claim.

In support of this motion, the United States submits the attached memorandum of points and authorities, along with a proposed order.

* * *

Dated: October 1, 2020

Respectfully submitted,

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