

IN THE UNITED STATE DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

NATHAN WRIGHT, et al.)	
)	
Plaintiffs,)	
)	
v.)	Case No. 4:19-cv-00398-RLW
)	
FAMILY SUPPORT DIVISION of the)	
Missouri Department of Social Services,)	
et al.)	
)	
Defendants.)	

DEFENDANTS’ MOTION TO DISMISS PLAINTIFFS’ AMENDED COMPLAINT

COME NOW Defendants the Family Support Division of the Missouri Department of Social Services, Michael Parson in his official capacity as Governor of Missouri, Jennifer Tidball in her official capacity as Acting Director of the Missouri Department of Social Services, Reginald McElhannon in his official capacity as Interim Director of the Family Support Division, Kenneth Zellers in his official capacity as Acting Director of the Missouri Department of Revenue, and Joseph Plaggenberg in his official capacity as Director of the Motor Vehicle and Driver Licensing Division of the Missouri Department of Revenue (collectively, “Defendants”), by and through counsel, and hereby respectfully move this Court to dismiss Plaintiffs’ Amended Complaint because (1) the Court lacks subject matter jurisdiction to hear Plaintiffs’ claims in their entirety under the *Rooker-Feldman* doctrine; (2) the Court must abstain from hearing Plaintiffs’ claims in their entirety under the *Younger* Abstention doctrine; (3) Plaintiffs do not state a claim upon which relief can be granted against Defendant Parson in his official capacity as Governor of Missouri; and (4) Plaintiffs fail to state a claim upon which relief can be granted in each of Counts I through IV of the Amended Complaint. Defendants incorporate by reference their memorandum in support of this motion, which is filed simultaneously herewith.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was filed electronically with the Clerk of the Court on November 8, 2019, to be served by operation of the Court's electronic filing system upon all parties.

/s/ Laura M. Robb
Laura M. Robb
Assistant Attorney General