

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION GULFPORT**

REPUBLICAN NATIONAL COMMITTEE;  
MISSISSIPPI REPUBLICAN PARTY;  
JAMES PERRY; and MATTHEW LAMB,

*Plaintiffs,*

vs.

**No. 1:24-cv-25-LG-RPM**

JUSTIN WETZEL, *in his official capacity as the clerk and registrar of the Circuit Court of Harrison County*; TONI JO DIAZ, BECKY PAYNE, BARBARA KIMBALL, CHRISTENE BRICE, and CAROLYN HANDLER, *in their official capacities as members of the Harrison County Election Commission*; and MICHAEL WATSON, *in his official capacity as the Secretary of State of Mississippi,*

*Defendants.*

**[PROPOSED] INTERVENOR-DEFENDANTS' MOTION TO DISMISS  
PLAINTIFFS' COMPLAINT UNDER  
FEDERAL RULES OF CIVIL PROCEDURE 12(B)(1) AND 12(B)(6)**

Intervenor-Defendants Disability Rights Mississippi and the League of Women Voters of Mississippi (collectively, the "Intervenor-Defendants") respectfully move, pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), to dismiss Plaintiffs' Complaint (ECF No. 1) with prejudice for lack of subject matter jurisdiction and for failure to state a claim upon which relief can be granted, for all reasons set forth in the accompanying Memorandum Brief in Support of this Motion.

Intervenor-Defendants respectfully request that this Court enter an order granting this

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Motion to Dismiss and dismiss Plaintiffs' Complaint with prejudice.

DATED this 21st day of February, 2024.

/s/ Joshua Tom

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Respectfully submitted,

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\*Application for admission *pro hac vice*  
forthcoming or pending