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**UNITED STATES DISTRICT COURT
DISTRICT OF WYOMING**

JOHN C. FRANK,

Plaintiff,

vs.

CHARLES GRAY, Wyoming Secretary of State,
SYLVIA HACKL, Laramie County District
Attorney,
DEBRA LEE, Laramie County Clerk,
in their official capacities,

Defendants.

Case No. 2:20-cv-00138-KHR

**ANSWER TO FIRST AMENDED VERIFIED COMPLAINT FOR
DECLARATORY AND INJUNCTIVE RELIEF**

Debra Lee, in her official capacity as Laramie County Clerk, by and through her attorneys Davis & Cannon, LLP, respectfully submits her Answer to Plaintiff's First Amended Verified Complaint for Declaratory and Injunctive Relief as follows:

INTRODUCTION

1. Paragraph 1 states legal argument or conclusions to which no response is required. To the extent a response is required, Defendant Lee denies the allegations in Paragraph 1.

JURISDICTION AND VENUE

2. Paragraph 2 states legal conclusions to which no response is required. To the extent a response is required, Defendant Lee denies the allegations in Paragraph 2.
3. Paragraph 3 states legal conclusions to which no response is required. To the extent a response is required, Defendant Lee denies the allegations in Paragraph 3.
4. Defendant Lee admits she resided in the District of Wyoming. The remainder of Paragraph 4 states legal conclusions to which no response is required. To the extent a response is required, Defendant Lee denies the remaining allegations in Paragraph 4.

PARTIES

5. Defendant Lee admits that Plaintiff Frank is a resident of Cheyenne, Wyoming. Defendant Lee lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in Paragraph 5 and therefore denies them.
6. Defendant Lee admits Charles Gray is the Secretary of State of Wyoming. The remainder of Paragraph 6 states legal conclusions to which no response is required. To the extent a response is required, Defendant Lee denies the remaining allegations in Paragraph 6.
7. Defendant Lee admits that Sylvia Hackl is the Laramie County District Attorney. The remainder of Paragraph 7 states legal conclusions to which no response is required. To the extent a response is required, Defendant Lee denies the remaining allegations in Paragraph 7.

8. Defendant Lee admits that she is the Laramie County Clerk. The remainder of Paragraph 8 states legal conclusions to which no response is required. To the extent a response is required, Defendant Lee denies the remaining allegations in Paragraph 8.

STATEMENT OF FACTS

9. Defendant Lee admits that Plaintiff Frank is a resident of Cheyenne, Wyoming. Defendant Lee lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in Paragraph 9 and therefore denies them.
10. Defendant Lee lacks knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 10 and therefore denies them.
11. Defendant Lee lacks knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 11 and therefore denies them.
12. Defendant Lee admits a Wyoming primary election was held on August 18, 2020. Defendant Lee denies a general election was held on November 4, 2020. Defendant Lee lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in Paragraph 12 and therefore denies them.
13. Defendant Lee lacks knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 13 and therefore denies them.
14. Defendant Lees admits the Laramie County Government Complex is located at 309 West 20th Street, Cheyenne, WY. Defendant Lee lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in Paragraph 14 and therefore denies them.
15. Defendant Lee lacks knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 15 and therefore denies them.

16. Defendant Lees admits the Laramie County Government Complex is located at 309 West 20th Street, Cheyenne, WY. Defendant Lee lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in Paragraph 16 and therefore denies them.
17. Defendant Lee lacks knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 17 and therefore denies them.
18. Paragraph 18 states legal arguments or conclusions to which no response is required. To the extent a response is required, Defendant Lee denies the allegations in paragraph 18.
19. Paragraph 19 states legal arguments or conclusions to which no response is required. To the extent a response is required, Defendant Lee denies the allegations in paragraph 19.
20. Paragraph 20 states legal arguments or conclusions to which no response is required. To the extent a response is required, Defendant Lee denies the allegations in paragraph 20.
21. Paragraph 21 states legal arguments or conclusions to which no response is required. To the extent a response is required, Defendant Lee denies the allegations in paragraph 21.
22. Defendant Lee admits the allegations in Paragraph 22.
23. Paragraph 23 states legal arguments or conclusions to which no response is required. To the extent a response is required, Defendant Lee denies the allegations in paragraph 23.
24. Defendant Lee lacks knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 24 and therefore denies them.

COUNT I

First Amendment

25. Paragraph 25 states legal arguments or conclusions to which no response is required. To the extent a response is required, Defendant Lee denies the allegations in paragraph 25.

PRAYER FOR RELIEF

1. Defendant Lee requests the Court deny Plaintiff's request for declaratory relief.
2. Defendant Lee requests the Court deny Plaintiff's request for declaratory relief.
3. Defendant Lee requests the Court deny Plaintiff's request for injunctive relief.
4. Defendant Lee requests the Court deny Plaintiff's requested order.
5. Defendant Lee requests the Court deny Plaintiff's requested order.
6. Defendant Lee requests the Court deny Plaintiff's request for costs and attorneys' fees.
7. Defendant Lee requests the Court deny Plaintiff's request for relief.

AFFIRMATIVE DEFENSES

1. Plaintiff does not allege that Defendant Lee has taken any action to restrict his free speech rights.
2. Each and every action Defendant Lee may take with respect to Plaintiff will be reasonable, undertaken in good faith, and based upon good cause, consistent with the laws of the United States and Wyoming.
3. Each and every action Defendant Lee may take with respect to Plaintiff will be within the course and scope of her duties and authorized by law.
4. Plaintiff is unable to meet the requirements for the entry of declaratory and injunctive relief.
5. Defendant Lee reserves the right to assert additional affirmative defenses as they become known.

DATED this 30th day of July, 2024.

DAVIS & CANNON, LLP

/s/ J. Mark Stewart

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing was served in accordance with and through the District's ECF service rules on 30th day of July, 2024.

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/s/ J. Mark Stewart

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