

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

KENNETH ZIMMERN; WILLIAM  
SOMMER; and CAROLINE KANE,

*Plaintiffs,*

v.

Case No. 4:24-cv-04439

JUDGE LINA HIDALGO, *in her official  
capacity as County Judge for Harris County,  
Texas*; and TENESHIA HUDSPETH, *in her  
official capacity as County Clerk for Harris  
County, Texas,*

*Defendants.*

**DEFENDANTS' MOTION TO DISMISS, FOR JUDGMENT ON THE PLEADINGS,  
OR IN THE ALTERNATIVE FOR SUMMARY JUDGMENT**

Pursuant to Rules 12(b)(1) and (6), 12(h)(3), 12(c), and 56 of the Federal Rules of Civil Procedure, Defendant Lina Hidalgo, sued in her official capacity as Harris County Judge, and Defendant Teneshia Hudspeth, sued in her official capacity as Harris County Clerk, hereby move this Court to dismiss Plaintiffs' claims for lack of subject-matter jurisdiction and for failure to state a claim upon which relief can be granted, to enter judgment on the pleadings against all of Plaintiffs' claims, or, in the alternative, to grant summary judgment against all of Plaintiffs' claims. The grounds for this motion are set forth in the accompanying Memorandum in Support. A proposed order is also attached.

Dated: October 31, 2025

Respectfully submitted,

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*/s/ Edward D. Swidriski III*

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**ATTORNEYS FOR DEFENDANTS**

**CERTIFICATE OF SERVICE**

I hereby certify that on October 31, 2025, a true and correct copy of this motion and its attachments was electronically filed using the Court's CM/ECF system, which will send notification of the filing to all counsel of record.

/s/ Edward D. Swidriski III

**EDWARD D. SWIDRISKI III**

Attorney-in-Charge

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