

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANTHONY ALBENCE, in his official
capacity as State Election Commissioner for
the State of Delaware,

Defendant,

Bethany Jennings and Gemma Lowery,

Intervenor-Defendants,

Latin American Community Center, *et al.*,

Intervenor-Defendants.

Case No. 25-cv-01453-RGA
Hon. Richard G. Andrews

BETHANY JENNINGS AND GEMMA LOWERY'S MOTION TO DISMISS

Intervenors Bethany Jennings and Gemma Lowery move to dismiss Plaintiff's Complaint for declaratory and injunctive relief, D.I. 1, with prejudice.

For the reasons discussed in the supporting brief filed alongside this Motion, the Complaint fails to state a claim under Federal Rule of Civil Procedure 12(b)(6).

WHEREFORE, Intervenors respectfully request that the Court grant their motion to dismiss with prejudice in the above-captioned matter.

February 9, 2026

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Respectfully submitted,

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