

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

Texas, *et al.* ) CIVIL ACTION NO:  
 ) 1:17-CV-00425-SS  
v. )  
 )  
Travis County, Texas, *et al.* )  
 )

**MOTION TO DISMISS BY DEFENDANTS CITY OF EL CENIZO, TEXAS, RAUL L. REYES, MAVERICK COUNTY, TOM SCHMERBER, AND MARIO A. HERNANDEZ**

Defendants City of El Cenizo, Texas, Raul L. Reyes, Maverick County, Tom Schmerber, and Mario A. Hernandez (“the *El Cenizo* parties”) move to dismiss Texas’s First Amended Complaint pursuant to Fed. R. Civ. P. 12(b)(1).

In support of this motion, Defendants rely on the attached Memorandum.

For the reasons stated in this Motion and the accompanying Memorandum, Defendants respectfully request the Court grant this Motion and dismiss this action.

Dated: June 28, 2017

Respectfully Submitted,

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**CERTIFICATE OF SERVICE**

I, Luis Vera, Jr., hereby certify that on June 28, 2017 copies of Defendants' Motion to Dismiss were electronically filed via the Court's CM/ECF system.

Dated: June 28, 2017

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**[PROPOSED] ORDER GRANTING DEFENDANTS MOTION TO DISMISS**

Upon consideration of Defendants' Motion to Dismiss, it is HEREBY ORDERED that the Defendants' Motion to Dismiss is **GRANTED**.

**SO ORDERED.**

Entered this \_\_\_\_ day of \_\_\_\_, 2017

\_\_\_\_\_  
Hon. Orlando L. Garcia  
United States District Judge