

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**GEORGIA LATINO ALLIANCE \*  
FOR HUMAN RIGHTS, et al., \***

**Plaintiffs , \***

**V. \***

**1:11-CV-1804-TWT**

**NATHAN DEAL, Governor of the \*  
State of Georgia, et al., \***

**Defendants. \***

**MOTION TO DISMISS OF DEFENDANTS NATHAN DEAL, SAMUEL  
OLENS, CLYDE REESE AND MIKE BEATTY**

COME NOW Defendants, Deal, Olens Reese and Beatty, by and through counsel, the Attorney General for the State of Georgia, and pursuant to FED. R. Civ. P. 12(b)(1), and (6) move to dismiss Plaintiffs' Complaint in its entirety.

Defendants' Motion is premised upon the Plaintiffs' lack of standing, failure to state a claim, sovereign and Eleventh Amendment Immunity. Defendants have filed a brief in support contemporaneous with this motion.

Respectfully submitted,

SAMUEL S. OLENS                      551540  
Attorney General

KATHLEEN PACIOUS                      558555  
Deputy Attorney General

/s/ Devon Orland  
DEVON ORLAND                      554301  
Sr. Assistant Attorney General

Please Address All  
Communications To:

Devon Orland  
40 Capitol Square, S.W.  
Atlanta, GA 30334-1300  
(404) 463-8850  
(404) 651-5304

**CERTIFICATE OF COMPLIANCE**

Pursuant to Local Rule 7.1(D), I hereby certify that the foregoing has been prepared in compliance with Local Rule 5.1(B) in 14-point New Times Roman type face.

This the 14th day of June, 2011.

/s/ Devon Orland  
DEVON ORLAND 554301  
Sr. Assistant Attorney General

40 Capitol Square, S.W.  
Atlanta, GA 30334-1300  
(404) 463-8850 (Telephone)  
(404) 651-5304 (Fax)  
Email: Dorland@law.ga.gov

**CERTIFICATE OF SERVICE**

I hereby certify that on this date I electronically filed the foregoing **DEFENDANTS' MOTION TO DISMISS** with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

Andrew H. Turner

Chara Fisher Jackson

Charles H. Kuck

Daniel Werner

Danielle M. Conley

Georgia Brian Spears

Mary C. Bauer

Michelle R. Lapointe

Naomi Ruth Tsu

Robert Keegan Federal, Jr.

Samuel Brooke

I further certify that I have served, by U.S. mail, first class postage prepaid, the following non-CM/ECF participants:

Andre I. Segura  
Omar C. Jadwat  
American Civil Liberties Union Foundation – NY  
125 Broad Street, 18<sup>th</sup> Floor  
New York, NY 10004

Azadeh N. Shahshahani  
ACLU of Georgia  
Building 400, Suite 425  
1900 The Exchange, SE  
Atlanta, GA 30339

Cecillia D. Wang  
Katherine Desormeau  
ACLU Immigrant's Rights Project  
39 Drumm Street  
San Francisco, CA 94111

Elora Mukherjee  
ACLU Racial Justice Program  
18<sup>th</sup> Floor, 125 Broad Street  
New York, NY 10004

Jonathan Blazer  
Karen C. Tumlin  
Linton Joaquin  
Melissa S. Keaney  
Nora Preciado  
Tanya Broder  
National Immigration Law Center  
3435 Wilshire Blvd, Suite 2850  
Los Angeles, CA 90010

Sin Yen Ling  
Asian Law Caucus  
55 Columbus Avenue  
San Francisco, CA 94111

This 14<sup>th</sup> day of June, 2011.

s/ Devon Orland

State Law Department  
40 Capitol Square SW  
Atlanta, GA 30334  
Tel: (404) 463-8850  
Fax: (404) 651-5304  
Email: [dorland@law.ga.gov](mailto:dorland@law.ga.gov)