

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

GREGORY MCKENNA

Plaintiff,

vs.

THE ST. LOUIS COUNTY POLICE
DEPARTMENT, ET AL.

Defendants.

Cause No. 4:09-cv-01113-CDP

**DEFENDANT D'ANGELO AUTOMOTIVE'S MOTION TO DIMISS PURSUANT
TO FEDERAL RULES OF CIVIL PROCEDURE 12(b)(1) AND
FEDERAL RULES OF CIVIL PROCEDURE 12(b)(6)**

Defendant D'Angelo Automotive, Inc. ("D'Angelo") pursuant to Rule 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, moves this Court dismiss the Complaint filed by Pro Se Plaintiff Gregory McKenna ("Plaintiff"). As detailed in the accompanying Memorandum of Law, this Court lacks jurisdiction over Plaintiff's claims and Plaintiff's Complaint violates Rule 8(a) of the Federal Rules of Civil Procedure.

For relief, Defendant D'Angelo Automotive, Inc. respectfully request that this Court dismiss Plaintiff's Complaint with prejudice and that this Court grant D'Angelo all other all and further relief deemed just and proper.

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy was filed electronically with the Clerk of the Court using the ECF system which constitutes service on the following and mailed a copy on this 12th day of October 2009:

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