

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

**ANAKA HUNTER,** )  
 )  
 **Plaintiff,** )  
 )  
 **vs.** )  
 )  
 **CITY OF SALEM, MISSOURI,** )  
 **BOARD OF TRUSTEES, Salem Public** )  
 **Library, and GLENDA WOFFORD,** )  
 **Individually, and in her official capacity** )  
 **As Director of the Salem Public Library,** )  
 )  
 **Defendants.** )

**Case No: 4:12-CV-0004-ERW**

**JURY TRIAL DEMANDED**

**CITYOF SALEM, MISSOURI’S MOTION TO DISMISS**

COMES NOW Defendant, the City of Salem, Missouri (“City”), by and through its attorneys of record, Baird, Lightner, Millsap & Harpool, P.C., and pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, respectfully moves the Court for an Order dismissing, with prejudice, Plaintiff’s claims against Defendant City in the above-captioned cause. In support of its Motion, City states the following:

1. Plaintiff has alleged that the Salem Public Library is established pursuant to § 182.140, RSMo 2012 (WL). Doc. No. 1 § 7.
2. A city library created pursuant to § 182.140 is a political subdivision of the State of Missouri, separate from the city in which it is created.
3. Chapter 182 reserves no power or authority to a city, once a city library’s board of trustees has been appointed, to direct the activities of a city library or set its policies.



**CERTIFICATE OF SERVICE**

I hereby certify that on the 5<sup>th</sup> day of March, 2012, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which provided a copy of to the below listed counsel of record:

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