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10 **UNITED STATES DISTRICT COURT**  
 11 **DISTRICT OF NEVADA**

12 RICHARD GLEN COLTER )  
 )  
 13 Plaintiff, )  
 )  
 14 v. ) 2:11-CV-00630-PMP-(RJJ)  
 )  
 15 RAY LaHOOD, BRIAN SANDOVAL, )  
 STATE OF NEVADA, and )  
 16 UNITED STATES OF AMERICA, )  
 )  
 17 Defendants )

18 **UNITED STATES OF AMERICA’S MOTION TO VACATE/STRIKE DOCUMENT #14,**  
 19 **#16, #17, #18, #19, #20, #21, AND #22, AND ORDER**

20 The United States of America (“United States”), by and through Daniel G. Bogden, United  
 21 States Attorney for the District of Nevada, and Daniel D. Hollingsworth, Assistant United States  
 22 Attorney, respectfully moves this Honorable Court for an Order to vacate or to strike Document #14,  
 23 #16, #17, #18, #19, #20, #21, and #22.

24 The reason for granting this motion is the documents are moot because this Court granted the  
 25 State of Nevada’s Motion for a More Definite Statement/Motion to Strike Colter’s complaint and  
 26 Colter has until August 8, 2011, to file an amended complaint. #15.

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This Motion is made and is based on the pleadings and papers on file herein and the attached  
Memorandum of Points and Authorities

DATED: July 25, 2011

Respectfully submitted,

DANIEL G. BOGDEN  
United States Attorney

/s/ Daniel D. Hollingsworth  
DANIEL D. HOLLINGSWORTH  
Assistant United States Attorney

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**MEMORANDUM OF POINTS AND AUTHORITIES**

Richard Glen Colter (“Colter”) filed a Complaint on April 22, 2011, because he was cited for speeding in Esmeralda County, Nevada. Docket #1. Colter filed Petitioner’s Declaration Supporting Writ of Mandamus and Petition to Remove and Stay Proceedings. #2. He filed a Motion for Preliminary Injunction and Declaratory Relief and Motion to Stay Proceedings. #3. On May 13, 2011, this Court denied Colter’s Motions for Preliminary Injunction, Declaratory Relief, and Stay of Proceedings in Esmeralda County. #9.

The State of Nevada filed its Motion for a More Definite Statement/Motion to Strike Colter’s Complaint. #10. The United States filed an Amended Motion to Extend the time to file a Motion to Dismiss Colter’s Complaint. #13. This Court granted the United States’s motion, ordering the motion to dismiss was due on July 27, 2011. #14. Subsequently, this Court granted the State of Nevada’s Motion for a More Definite Statement/Motion to Strike Colter’s Complaint by ordering Colter to file an amended Complaint against all defendants by August 8, 2011. #15.

Because no complaint currently exists, the filing of a motion to dismiss or responding to numerous documents is moot. This Court should vacate or strike #14, #16, #17, #18, #19, #20, #21, and #22.

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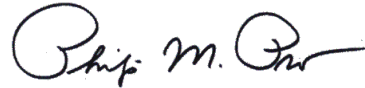
Based on the reason of no complaint, the United States requests this Court to vacate or to strike #14, #16, #17, #18, #19, #20, #21, and #22.

DATED: July 25, 2011.

DANIEL G. BOGDEN  
United States Attorney

/s/DanielDHollingsworth  
DANIEL D. HOLLINGSWORTH  
Assistant United States Attorney

IT IS SO ORDERED:



UNITED STATES DISTRICT JUDGE

DATED: August 4, 2011.

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**PROOF OF SERVICE**

I, Daniel D. Hollingsworth, certify that the following individuals were served with copies of **UNITED STATES OF AMERICA’S MOTION TO VACATE/STRIKE DOCUMENT #14, #16, #17, #18, #19, #20, #21, AND #22, AND ORDER** on July 25, 2011, by the below identified method of service:

First Class Mail

Richard Glen Colter  
P.O. Box 11312  
Pleasanton, California 94588

CM/ECF

Roger G. Madsen  
rmadsen@ag.nv.gov  
Counsel for Brain Sandoval and State of Nevada

/s/ DanielDHollingsworth  
DANIEL D. HOLLINGSWORTH  
Assistant United States Attorney