

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
(Alexandria Division)**

JANE ROE 1, <i>et al</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No. 1:07cv1009
	)	
PRINCE WILLIAM COUNTY, <i>et al</i> .	)	
	)	
Defendants.	)	

**MOTION TO DISMISS**

COME NOW all Defendants, Prince William County, Virginia (more properly the Board of County Supervisors of Prince William County, Virginia), the eight members of the Board of County Supervisors, sued individually in both their official and individual capacities, and the County Executive and Chief of Police, sued in their official capacities, and file this Motion to Dismiss the Complaint, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. None of the four causes of action pled in the Complaint state a claim for which relief can be granted because:

- I. The Complaint fails to allege any justiciable issue:
  - A. The Plaintiffs lack standing to seek injunctive or declaratory relief as none of them, as a matter of law, alleges an injury, and
  - B. The issues raised by the Complaint are not ripe for adjudication in any event.
- II. Even if any Plaintiff had standing, none of the four cause of action states a claim for which relief can be granted.
- III. All claims against individually-named Defendants should be dismissed:

- A. No cause of action lies against any individual member of the Board of County Supervisors, acting in either an official or an individual capacity.
- B. No cause of action lies against the County Executive or Chief of Police of Prince William County.

These grounds are stated in more detail in the attached Memorandum in Support of Motion to Dismiss.

October 30, 2007

Respectfully submitted,

**COUNTY ATTORNEY'S OFFICE**  
**PRINCE WILLIAM COUNTY**  
Counsel for all Defendants

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/s/

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 30th day of October, 2007, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

