

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:10-CV-00265-H

MICHAEL BATEMAN, VIRGIL GREEN, )  
FORREST MINGES, JR., GRNC/FFE, INC., )  
and SECOND AMENDMENT FOUNDATION, )  
INC., )

*Plaintiffs,* )

v. )

BEVERLY PERDUE, REUBEN F. YOUNG, )  
STOKES COUNTY, and CITY OF KING, )

*Defendants.* )

**STATE DEFENDANTS'  
MOTION TO DISMISS**

NOW COME Defendants Beverly Perdue and Reuben F. Young, in their individual and official capacities, and move for the dismissal of this action pursuant to Rules 12(b)(1) and (6) of the Federal Rules of Civil Procedure based on Plaintiffs' failure to state a claim upon which relief can be granted and lack of subject matter jurisdiction.

Respectfully submitted, this the 13<sup>th</sup> day of August 2010.

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Attorney General

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**CERTIFICATE OF SERVICE**

I hereby certify that on this day, 13 August 2010, I electronically filed the foregoing **STATE DEFENDANTS' MOTION TO DISMISS** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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