

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

RICHARD STANLEY, JR. )  
and TIM CLARK, )  
 )  
Plaintiffs, )  
 )  
vs. )  
 )  
BROWN COUNTY ELECTION )  
BOARD, )  
 )  
Defendant. )

CAUSE NO. 25-CV-01482-TWP-MKK

**DEFENDANT BROWN COUNTY ELECTION BOARD’S MOTION TO DISMISS  
PLAINTIFFS’ AMENDED COMPLAINT PURSUANT TO FED. R. CIV. P. 12(b)(6)**

Defendant Brown County Election Board (“Brown County”), by counsel Samantha E. DeWester, request that this Honorable Court enter an Order dismissing Plaintiffs’ Amended Complaint (“Complaint”) in its entirety and with prejudice pursuant to Fed. R. Civ. P. 12(b)(6). Brown County further states in support of its motion, as follows:

1. Plaintiffs’ Complaint should be dismissed under Fed. R. Civ. P. 12(b)(6) for failure to state a claim because Plaintiffs fail to allege any acts or actions by Brown County that deprived them of their rights, under the Constitution and pursuant to 42 U.S.C. §1983. In fact, the Plaintiffs’ Complaint describes acts of another entity, the Indiana Republican Party, who is not a party to this action. There are no allegations alleged in the Plaintiffs’ Complaint that state how or when Brown County did anything for which they are entitled to relief, which is *required* to be pled pursuant to Fed. R. Civ. P. 8(a).
2. Plaintiffs’ Complaint against Brown County must fail. The declaratory and injunctive relief sought from this Court, against Brown County, are actually the actions of another entity the Plaintiffs complain of, but did not name in this lawsuit. Brown County has not taken a single action against the Plaintiffs regarding their ability to run for public office.

Nothing has happened. Plaintiffs are asking this Court to predict the future and potential actions that *could* be taken by Brown County. None of which have actually even occurred.

WHEREFORE, Brown County respectfully requests the Court dismiss Plaintiffs' Complaint in its entirety and for all other just and proper relief.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

The undersigned counsel hereby certifies that a copy of the forgoing Motion to Dismiss was filed electronically on December 12, 2025. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system.

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By: /s/: Samantha E. DeWester  
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