

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

_____)	
PALMER,)	
)	
Plaintiff,)	Civ. No. 22-2876 (CRC)
)	
v.)	
)	MOTION TO DISMISS
FEDERAL ELECTION COMMISSION)	
1050 First Street, NE)	
Washington, DC 20463,)	
)	
Defendant.)	
_____)	

**DEFENDANT FEDERAL ELECTION COMMISSION’S
MOTION TO DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION**

Pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure, the Federal Election Commission (“FEC” or “Commission”) hereby moves for an order dismissing plaintiff Barbara W. Palmer’s complaint, which alleges that the Commission’s dismissal of an administrative complaint plaintiff previously filed with the agency was contrary to law, pursuant to 52 U.S.C. § 30109(a)(8)(A). Plaintiff has not established Article III standing to bring this suit because she has failed to establish a concrete and particularized injury, and therefore her complaint should be dismissed pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure.

A supporting memorandum and a proposed order accompany this motion.

Lisa J. Stevenson (D.C. Bar No. 457628)
Acting General Counsel
l Stevenson@fec.gov

Kevin Deeley
Associate General Counsel
kdeeley@fec.gov

Respectfully submitted,

Jacob Siler (D.C. Bar No. 1003383)
Assistant General Counsel
jsiler@fec.gov

/s/ Shaina Ward
Shaina Ward (D.C. Bar No. 1002801)
Attorney

January 3, 2023

sward@fec.gov

FEDERAL ELECTION COMMISSION
1050 First Street NE
Washington, DC 20463
(202) 694-1650

CERTIFICATE OF SERVICE

I, Shaina Ward, certify that on January 3, 2023, I electronically filed the foregoing Motion to Dismiss, Memorandum in Support, Proposed Order and Notices of Appearances for Commission Counsel with the Clerk of the United States District Court for the District of Columbia by using the Court's CM/ECF system, and served a copy of the same via email and USPS First Class Mail to:

Plaintiff Barbara W. Palmer
Pro se
P.O. Box 1386
Princeton, TX 75407
bpalmer.txag@gmail.com

/s/ Shaina Ward
Shaina Ward (D.C. Bar No. 1002801)
Attorney