

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION**

ANNE WHITE HAT, et al

\* CIVIL ACTION NO. 6:20-CV-00983

vs.

\* JUDGE SUMMERHAYS

JEFF LANDRY, et al

\* MAGISTRATE JUDGE WHITEHURST

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**SHERIFF'S RE-URGED MOTION TO DISMISS  
AND MOTION TO DISMISS FOR MOOTNESS**

NOW INTO COURT, through undersigned counsel, comes Defendant, Sheriff Ronald Theriot, and re-urges the Court to dismiss the Complaint on the following grounds previously raised when the case was pending in the Middle District:

1. Under Rule 12(b)(1), Plaintiffs lack standing to obtain the relief they have demanded, thereby failing to establish subject matter jurisdiction; and
2. This Court should abstain from exercising jurisdiction with respect to criminal matters pending in the State Court.

In addition, Sheriff Theriot calls the Court's attention to a new development arising since his original Motion to Dismiss was filed in the Middle District: he has now retired as Sheriff of St. Martin Parish, rendering this action for injunctive relief against him moot.

Wherefore, Defendant, Sheriff Theriot, prays that after due proceedings are had herein, there be judgment dismissing the Complaint, and for all other general and equitable relief to which he may be entitled under the circumstances.

Respectfully submitted,

OATS & MARINO  
A Partnership of Professional Corporations

s/ Patrick McIntire  
PATRICK B. McINTIRE (La. 17052)  
100 E. Vermilion Street, Suite 400  
Lafayette, La. 70501  
Ph. 337-233-1100  
[pmcintire@oatsmarino.com](mailto:pmcintire@oatsmarino.com)  
*Counsel for Sheriff Theriot*

**CERTIFICATE OF SERVICE**

I hereby certify that on August 21, 2020, a copy of the foregoing pleading was filed electronically with the Clerk of Court using the CM/ECF system. Notice of this filing will be sent to counsel for all parties by operation of the court's electronic filing system. I also certify that I have mailed by United States Postal Service this filing to the following non-CM/ECF participants:  
  
NONE.

s/ Patrick McIntire  
**PATRICK B. McINTIRE**