

Defendants, by and through undersigned counsel, move to dismiss the Complaint, Doc. 1, in its entirety, with prejudice, for lack of subject-matter jurisdiction pursuant to Federal Rule of Civil Procedure 12(b)(1) because Plaintiffs lack Article III and statutory standing to challenge the relevant agency action, and because the Immigration and Nationality Act provides that their claims are not reviewable.

Alternatively, the United States moves to dismiss Counts I–III and VI–VIII pursuant to Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim upon which relief can be granted.

This motion is based on grounds asserted in Defendants' Memorandum in Support of Motion to Dismiss Complaint and the supporting declarations and attachments filed herewith.

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Dated: September 11, 2023

Respectfully submitted,

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Director

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