

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

MIGUEL COCA and )  
ALEJANDRO RANGEL-LOPEZ, )  
 )  
Plaintiffs, )  
 )  
vs. )  
 )  
CITY OF DODGE CITY, a municipal )  
corporation, the DODGE CITY )  
COMMISSION, E. KENT SMOLL, in his )  
official capacity as Mayor of Dodge City, )  
MICHAEL BURNS, in his official capacity )  
as Vice-Mayor of Dodge City, RICK )  
SOWERS, in his official capacity as a )  
member of the Dodge City Commission, )  
CHUCK TAYLOR, in his official capacity )  
as a member of the Dodge City Commission,)  
and JOSEPH NUCI, in his official capacity )  
as a member of the Dodge City Commission,) )  
 )  
Defendants. )

Case No. 6:22-cv-01274-EFM-RES

**DEFENDANTS' MOTION TO DISMISS PLAINTIFFS' AMENDED COMPLAINT**

Defendants hereby move the Court for an order dismissing Plaintiffs' claims against them under Federal Rule of Civil Procedure 12(b)(6), for the reasons stated in their contemporaneously filed Brief in Support. Plaintiffs have failed to allege facts sufficient to state a claim under section 2 of the Voting Rights Act and the U.S. Constitution. Accordingly, the Amended Complaint should be dismissed with prejudice.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I certify that on the 11<sup>th</sup> of January 2023, the foregoing was electronically filed with the Clerk of the Court by using the Court's e-Filing system which will send notification of electronic filing to counsel for all parties of record, and a true and correct copy was served by electronic mail upon:

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