

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

**UNITED SOVEREIGN  
AMERICANS, INC. et. al.,**

Petitioners,

V.

**MERRICK GARLAND, et. al.;**

Defendants.

Civil No: 1:24-CV-01003

Chief Magistrate Judge Bloom

(Electronically Filed)

**MOTION TO DISMISS PETITION**

Defendant, Merrick Garland, asks this Court to dismiss the Petition pursuant to Fed. R. Civ. P. 12(b).

A brief in support of this motion will be filed in accordance with M.D. Pa. Local Rule 7.5.

Counsel certifies that he has sought the concurrence of Petitioners' counsel pursuant to M.D. Pa. Local Rule 7.1 and concurrence was denied.

Respectfully submitted,

GERARD M. KARAM  
United States Attorney

/s/ Gerard T. Donahue  
GERARD T. DONAHUE  
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*Attorneys for Defendants*

Date: November 8, 2024'

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**CERTIFICATE OF NON-CONCURRENCE**

I, Gerard T. Donahue, Assistant United States Attorney, have contacted counsel for the Plaintiff, Tudor Neagu, Esq., who does not concur in the Defendants' motion.

Respectfully submitted,

GERARD M. KARAM  
UNITED STATES ATTORNEY

/s/ Gerard T. Donahue  
GERARD T. DONAHUE  
Assistant U.S. Attorney

Dated: November 8, 2024

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion as to be competent to serve papers. That on November 8, 2024, she served a copy of the attached

**MOTION TO DISMISS PETITION**

by electronic service pursuant to Local Rule 5.7 and Standing Order 05-6 & 12.2 to all counsel of record in the above-captioned matter.

*/s/ Stephanie Kakareka*  
STEPHANIE KAKAREKA  
Legal Administrative Specialist

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**ORDER**

NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2024, upon consideration of the Motion to Dismiss by Defendant, IT IS HEREBY ORDERED THAT the motion is granted with a certification that any appeal shall be deemed frivolous, lacking in probable cause, and not taken in good faith.

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Daryl F. Bloom  
Chief United States Magistrate Judge