IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

CHIP HUNT; REPUBLICAN PARTY OF TEXAS,

Plaintiffs,

v.

STATE OF TEXAS; JANE NELSON, in her official capacity as Texas Secretary of State,

Defendants.

Case No. 2:25-cv-200

DEFENDANT SECRETARY OF STATE JANE NELSON'S MOTION TO DISMISS

Defendant Secretary of State Jane Nelson respectfully moves the Court to dismiss the complaint under Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). The Court should dismiss the complaint under Rule 12(b)(1) because the Plaintiffs lack standing to bring their challenge and because their claim is not yet ripe for review. The Court should also dismiss the complaint under Rule 12(b)(6) because the Plaintiffs failed to plausibly allege a freedom-of-association claim under the First Amendment. In the alternative, the Secretary moves to dismiss plaintiff Chip Hunt and defendant the State of Texas from this action under Rule 12(b)(1). Hunt lacks standing to bring a First Amendment challenge and the State of Texas is immune from suit. The Secretary files the accompanying brief in support of this motion and a proposed order. *See* Local Civil R. 7.1(c), (d).

Respectfully submitted,

/s/ *Erin E. Murphy*

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon all counsel of record on October 30, 2025, via the Court's CM/ECF system.

/s/ *Erin E. Murphy*
Erin E. Murphy