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Attorneys for Defendant State of Oregon and Hardy Myers

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

BRIAN P. CARR,

Plaintiff,

v.

THE STATE OF OREGON through Hardy
Myers in his official capacity as Attorney
General of the State of Oregon; and THE
CITY OF PORTLAND through Linda Meng
in her official capacity as City Attorney of the
City of Portland,

Defendants.

Case No. 3:08-cv-0398-HA

STATE DEFENDANTS' MOTION TO
DISMISS

State Defendants counsel conferred with plaintiff *pro se* by telephone, and the parties were unable to resolve their dispute regarding the substance of this motion.

Pursuant to Fed. R. Civ. Pro. 12(b)(1) and (6), defendants State of Oregon and Hardy Myers hereby move to dismiss plaintiff's claims against them because:

- (1) The claims against the State are barred by the Rooker-Feldman doctrine, and the court therefore lacks jurisdiction; and

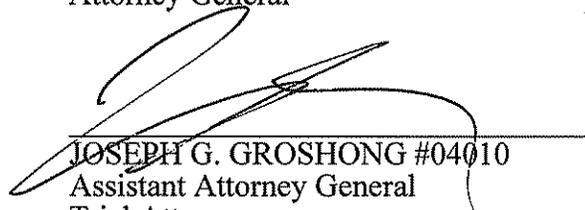
(2) Plaintiff has failed to state any valid claim against either State defendant.

This memorandum is supported by the accompanying *Memorandum in Support of Motion to Dismiss* and the record and file herein.

DATED this 5 day of June, 2008.

Respectfully submitted,

HARDY MYERS
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Of Attorneys for State Defendants

CERTIFICATE OF SERVICE

I certify that on June 3, 2008, I served the foregoing STATE DEFENDANT'S MOTION TO DISMISS upon the parties hereto by the method indicated below, and addressed to the following:

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Plaintiff Pro Se

- HAND DELIVERY
- MAIL DELIVERY
- OVERNIGHT MAIL
- TELECOPY (FAX)
- E-MAIL **brian@brian.carr.name**
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Of Attorneys for Linda Meng and the
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