

FILED

STATE OF NORTH CAROLINA      IN THE GENERAL COURT OF JUSTICE  
 COUNTY OF NEW HANOVER      SUPERIOR COURT DIVISION  
 2021 OCT 27 A 11:08      21-CVS-003915

NEW HANOVER CO., C.S.C.  
 DAVID A. PERRY,      :  
 Plaintiff,      BY \_\_\_\_\_      :

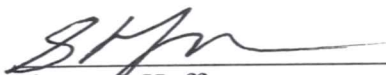
v.      :      MOTION TO DISMISS

NEW HANOVER COUNTY BOARD OF      :  
 EDUCATION:      :  
 Stephanie Adams, in her official capacity,      :  
 Nelson Beaulieu, in his official capacity,      :  
 Judy Justice, in her official capacity,      :  
 Stephanie Kraybill, in her official capacity,      :  
 Hugh McManus, in his official capacity,      :  
 Stephanie Walker, in her official capacity,      :  
 Peter Wildeboer, in his official capacity,      :  
 NEW HANOVER COUNTY SHERIFF'S      :  
 OFFICE;      :  
 Edward McMahon, in his official capacity.      :  
 Defendants.      :

A TRUE COPY  
 CLERK OF SUPERIOR COURT  
 NEW HANOVER COUNTY  
 BY: Michelle W. Mitchell  
 Deputy Clerk of Superior Court

Defendants, New Hanover County Sheriff's Office; Edward McMahon, in his official capacity; by and through undersigned council, moves the court pursuant to Rule 12(B) of the Rules of Civil Procedure to dismiss this action for failure of the Complaint to state a claim upon which relief can be granted.

This the 27<sup>th</sup> day of October, 2021.

  
 \_\_\_\_\_  
 Sharon J. Huffman  
 Deputy County Attorney  
 New Hanover County  
 230 Government Center Drive Suite 125  
 Wilmington NC 28403  
 N.C. State Bar No.: 9886  
 (910) 798-7153 (office)  
 (910) 798-7157 (fax)  
 Attorney for Defendants, New Hanover Sheriff's Office; Edward McMahon, in his official capacity

**CERTIFICATE OF SERVICE**

The undersigned does hereby certify that a copy of the foregoing and attached

**Defendant New Hanover County Sheriff's Office Motion to Dismiss**

was this date served by USPS mailing to the following:

David A. Perry  
4709 Cornus Drive  
Wilmington NC 28412

This the 27<sup>th</sup> day of October, 2021.



Sharon J. Huffman  
Deputy County Attorney  
New Hanover County  
230 Government Center Drive Suite 125  
Wilmington NC 28403  
N.C. State Bar No.: 9886  
(910) 798-7153 (office)  
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Attorney for Defendants, New Hanover Sheriff's Office; Edward McMahon, in his official capacity