IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

SAMUEL SCOTT PAGE, Plaintiff, vs. ROCKINGHAM COUNTY and P. KEVIN BERGER, in his individual capacity, Defendants.	Case No. 1:26-cv-606 **DEFENDANTS' MOTION TO DISMISS**

Defendants Rockingham County and P. Kevin Berger ("Defendants"), by counsel, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, move the Court for an order dismissing, with prejudice, the Complaint (Doc. 1) filed against them by Plaintiff Samuel Scott Page on the grounds that the Complaint, even when viewed in the light most favorable to Plaintiff, fails to state a claim upon which relief may be granted for the reasons stated in the accompanying Brief in Support of Motion to Dismiss filed herewith.

WHEREFORE, Defendants pray the Court provide relief as follows:

1. That Plaintiff's Complaint against Defendants be dismissed, with prejudice; and

2. For such further relief as the Court deems appropriate.

This 21st day of September, 2026.

BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, PC

/s/ Walker N. Helms
Walker N. Helms (NC State Bar No. 59774)
/s/ Tyler Lemons
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Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that I have this day electronically filed the foregoing ***ROCKINGHAM COUNTY AND P. KEVIN BERGER'S MOTION TO DISMISS*** with the Clerk of the Court using the CM/ECF system, which will effect service on all counsel of record via the Court's CM/ECF system.

This 21st day of September, 2026.

BAKER, DONELSON, BEARMAN,
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