

MS

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT CIVIL ACTION
DOCKET NO: 2684CV00477

AMERICAN CIVIL LIBERTIES
UNION OF MASSACHUSETTS, INC.,

Plaintiff,

vs.

PLYMOUTH COUNTY
SHERIFF'S DEPARTMENT

Defendant.

DEFENDANT'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT

The Defendant, Plymouth County Sheriff's Department ("PCSD") respectfully asks this Court to dismiss the Plaintiff's complaint. As reasons therefore, the Defendant asserts that the Plaintiff's claim is preempted by federal law, the Plaintiff fails to state a claim for which this Court can grant relief. Further, the Defendant properly withheld records pursuant to the Plaintiff's public records request under the applicable state and federal laws.

Respectfully submitted,
Plymouth County Sheriff's Department

/s/ Jessica L. Kenny

Jessica L. Kenny,
BBO #667738
Special Assistant Attorney General
General Counsel
Plymouth County Sheriff's Department
24 Long Pond Road
Plymouth, Ma 02360
jkenny@pcsdma.org

May 1, 2026

CERTIFICATE OF SERVICE

I, Jessica L. Kenny, certify that I have caused the attached papers to be served on the parties below via First Class mail with a courtesy copy via email:

Mackenzie R. Saunders
ACLUM
Once Center Plaza, Suite 850
Boston, Ma 02108
masunders@aclum.org

Signed under the pains and penalties of perjury this 1st day of May 2026,

/s/ Jessica L. Kenny
Jessica L. Kenny