

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
CHRISTOPHER DAVIS, and	)	
COMMONWEALTH SECOND	)	
AMENDMENT, INC.,	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
RICHARD C. GRIMES, in his official	)	
capacity as Chief of the	)	CIVIL ACTION NO. 1:13-CV-10246 (FDS)
Weymouth Police Department,	)	
Defendant,	)	
	)	
- and -	)	
	)	
COMMONWEALTH OF	)	
MASSACHUSETTS,	)	
Intervenor.	)	
_____	)	

**DEFENDANT’S MOTION TO DISMISS ON THE GROUND THAT THERE IS  
NO LONGER AN ACTUAL CASE OR CONTROVERSY BETWEEN THE PARTIES**

Pursuant to Fed. R. Civ. P. 12(b)(1), Richard Grimes, Chief of the Weymouth Police Department (“Chief Grimes”), hereby moves for dismissal of all of the plaintiffs’ outstanding claims against him. As explained more fully below, plaintiff-Christopher Davis (“Davis”) has now received an unrestricted License to Carry Firearms; moreover, following extensive discussions between respective counsel, Chief Grimes has clarified, apparently to the plaintiffs’ satisfaction, the Department’s policy with respect to the issuance of a License to Carry Firearms. Accordingly, Chief Grimes maintains there is no longer an actual case or controversy between

the plaintiffs and himself. Stated differently, at least as against Chief Grimes, plaintiffs' claims are moot.<sup>1</sup>

**CONCLUSION**

WHEREFORE, Chief Grimes respectfully submits that all of plaintiffs' claims against him should be dismissed with prejudice together with such other relief as this Court deems appropriate.

Respectfully submitted,  
The Defendant,  
RICHARD C. GRIMES, in his Official Capacity  
as Chief of the Weymouth Police Department,  
By his attorneys

**PIERCE, DAVIS & PERRITANO, LLP**

*/s/ Adam Simms*

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document filed through the Electronic Case Filing System, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and that a paper copy shall be served upon those indicated as non-registered participants on June 15, 2015.

*/s/ Adam Simms*  
\_\_\_\_\_  
Adam Simms

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<sup>1</sup> The Court is respectfully referred to the defendant's supporting Memorandum of Law filed herewith.