

IN THE IOWA DISTRICT COURT FOR JOHNSON COUNTY

STATE OF IOWA,)	CASE NO. _____
Plaintiff,)	
)	
vs.)	
)	MOTION TO TRANSFER
JASON BESLER,)	VENUE
Defendant.)	
)	

COMES NOW the State of Iowa, through Gary Dickey, and moves the Court to transfer venue of this matter to the Iowa District Court for Polk County. In support of this motion, the undersigned states the following:

1. The undersigned has filed an application pursuant to Iowa Rule of Civil Procedure 1.1302(2) for leave to file a civil action in the nature of quo warranto against Jason Besler.
2. Upon information and belief of the undersigned, Mr. Besler is currently assuming the duties of a district court judge in the Sixth Judicial District.
3. In order to avoid the appearance of impropriety that would arise from having a colleague of Mr. Besler's from the Sixth Judicial District decide the legality of his purported appointment, the Plaintiff requests that venue in this matter be transferred to the Iowa District Court for Polk County to be heard by a district court judge from the Fifth Judicial District. *See Iowa R. of Judicial Conduct 51:1.2* (A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary and shall avoid impropriety and the appearance of impropriety.)

4. The Iowa District Court for Polk County is an appropriate venue because the witnesses from the Governor's Office as well as the attorneys for both parties are located there.

WHEREFORE the Plaintiff requests that venue in this matter be transferred to the Iowa District Court for Polk County.

DATED this 1st day of November 2018.



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