

**IN THE IOWA DISTRICT COURT, IN AND FOR JEFFERSON COUNTY**

KORYN TJADEN DICKEY, SHAWNA  
HUSTED, AND ALLEN HUSTED,

PLAINTIFFS

v.

ADRIAN JEREMY DICKEY and MARK  
MYERS in his capacity as JEFFERSON  
COUNTY IOWA, TREASURER

DEFENDANTS

**CASE NO. CVEQ004601**

**DEFENDANT JEFFERSON COUNTY,  
IOWA TREASURER'S MOTION TO  
DISMISS FOR FAILURE TO STATE A  
CLAIM FOR WHICH RELIEF MIGHT  
BE GRANTED PER IOWA RULE OF  
CIVIL PROCEDURE 1.421(1)(f)**

COMES NOW Jefferson County Attorney Chauncey T. Moulding, as Petitioner, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure and Rule 1.421 of the Iowa Rules of Civil Procedure, and states to the Court as follows:

**THE PLAINTIFFS FAILED TO STATE A LEGALLY COGNIZABLE CLAIM UNDER  
IOWA CODE 321.50**

1. Iowa Code Section 321.50 does not require that the County Treasurer complete the "Action Taken" section of the Lien Application as alleged by the Plaintiffs.
2. Iowa law only requires that the date of delivery be noted on the Lien Application. Iowa Code § 321.50(1).
3. Further the law allows for the date of delivery to be noted electronically. *Id.*
4. Electronic delivery and the subsequent automatic perfection of the security interest occurred on August 11, 2020 as allowed under Iowa Code § 321.50.

**THE PLAINTIFFS FAILED TO STATE A COGNIZABLE CLAIM FOR CIVIL  
CONSPIRACY**

5. The County Treasurer does not have the legal duty or ability to investigate the validity of a signature on a Lien Application. Plaintiff's allegations presuppose a legal duty that does not exist.
6. The County Treasurer would not know, nor could he know that the signature was forged, as alleged by the Plaintiffs.

THEREFORE, the Plaintiffs have failed to state a claim against Mark Myers, in his

capacity as Jefferson County Treasurer, as there are no laws that support the Plaintiff's contentions that the Treasurer neglected his legal duties.

A handwritten signature in black ink, appearing to read "Chauncey T. Moulding". The signature is written in a cursive style with a horizontal line underneath it.

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