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**Admission pro hac vice pending*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

R. JEREMY BARNES; and MISSION
INVESTIGATIONS GROUP, LLC,

Plaintiffs,

v.

JESS L. ANDERSON, in his official capacity as
Commissioner of the Utah Department of Public
Safety; GREG WILLMORE, in his official
capacity as Director of the Utah Bureau of
Criminal Identification; SPENCER
LAWRENCE, in his official capacity as the
Chairman of the Private Investigator Hearing and
Licensure Board; MARC ATKINSON, in his
official capacity as a member of the Private
Investigator Hearing and Licensure Board; DON
GOULD, in his official capacity as a member of
the Private Investigator Hearing and Licensure
Board; KELLY SPARKS, in her official capacity
as a member of the Private Investigator Hearing
and Licensure Board; MICHELLE PALMER, in
her official capacity as a member of the Private
Investigator Hearing and Licensure Board,

Defendants.

**COMPLAINT FOR
DECLARATORY AND
INJUNCTIVE RELIEF**

Civil No.

Judge:

Magistrate Judge:

INTRODUCTION

1. Plaintiff R. Jeremy Barnes, who lives in Idaho less than a mile from the Utah border, brings this constitutional action to vindicate his right to earn an honest living in Utah as a private investigator. He cannot obtain a Utah private-investigator license because Utah requires all private investigators to reside in the state. Plaintiff Mission Investigations Group, LLC is owned by Plaintiff Barnes and created for the purpose of his private-investigator business. Utah's facial discrimination against interstate commerce violates the Equal Protection Clause of the Fourteenth Amendment, the Privileges and Immunities Clause of Article IV, and the Commerce Clause of Article I, Section 8.

JURISDICTION AND VENUE

2. Plaintiffs bring this civil-rights lawsuit under the Commerce Clause, Art. I, Section 8, the Privileges and Immunities Clause, Art. IV, Section 2, the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution, the Civil Rights Act of 1871, 42 U.S.C. § 1983, and the Declaratory Judgment Act, 28 U.S.C. §§ 2201–02.

3. Plaintiffs seek declaratory and injunctive relief against enforcement of the Utah Private Investigator Regulation Act's residency requirement, Utah Code § 53-9-108(1)(a), rules promulgated under the Act, Utah Admin. Code r. 722-330-4(1)(b)(iii) and the policies and practices of the Private Investigator Hearing and Licensure Board and Utah Bureau of Criminal Identification to the extent that these statutes, regulations, and policies and practices require Utah residency to be licensed as a private investigator under the Act.

4. This Court has subject-matter jurisdiction under 28 U.S.C. §§ 1331 and 1343.

5. Venue lies in this Court pursuant to 28 U.S.C. § 1391(b).

PARTIES

6. Plaintiff R. Jeremy Barnes is a United States citizen and resident of Franklin, Idaho.

7. Plaintiff Mission Investigations Group, LLC is incorporated in the state of Idaho and was created by Plaintiff Barnes for the purpose of his private-investigator business.

8. Defendant Jess L. Anderson is the Commissioner of the Utah Department of Public Safety. He is sued in his official capacity.

9. Defendant Greg Willmore is the director of the Utah Bureau of Criminal Identification. He is sued in his official capacity.

10. Defendant Spencer Lawrence is the chairman of the Private Investigator Hearing and Licensure Board. He is sued in his official capacity.

11. Defendant Marc Atkinson is a member of the Private Investigator Hearing and Licensure Board. He is sued in his official capacity.

12. Defendant Don Gould is a member of the Private Investigator Hearing and Licensure Board. He is sued in his official capacity.

13. Defendant Kelly Sparks is a member of the Private Investigator Hearing and Licensure Board. She is sued in her official capacity.

14. Defendant Michelle Palmer is a member of the Private Investigator Hearing and Licensure Board. She is sued in her official capacity.

FACTUAL ALLEGATIONS

Plaintiff Barnes, a Former Police Officer, Opens a Private-Investigation Business in Idaho.

15. In January 2020, Plaintiff Barnes and his family moved from Washington State to Franklin, Idaho to be close to his wife's family.

16. Prior to moving, Plaintiff Barnes was a former law-enforcement officer of twelve years.

17. He served in various capacities such as deputy sheriff, a motor officer, patrol officer, and plain-clothes narcotics detective.

18. He worked as a deputy sheriff for the Nez Perce Sheriff's Office from 2007 to 2009.

19. He then worked as a patrol officer (three years), a motor officer (three years), and a narcotics detective for the Lewiston Police Department from 2009 to 2016.

20. From 2016 through 2020, he worked as a patrol officer for the Clarkston Washington Police Department.

21. Plaintiff Barnes has a bachelor's degree in justice studies.

22. Plaintiff Barnes had no disciplinary issues during his career as a police officer.

23. After moving to Idaho, Plaintiff Barnes felt it was time for a career change from being a police officer to something else.

24. Plaintiff Barnes decided to start his own private-investigation agency and work as a private investigator, which would enable him to use his college education and law-enforcement experience in his own business.

25. In January 2020, Plaintiff Barnes formed Plaintiff Mission Investigations Group, LLC to operate his agency.

26. Plaintiff Barnes intends to engage in the full range of private-investigator work, such as, but not limited to: (1) assisting private parties such as insurance companies determine whether crimes or wrongful acts occurred; (2) investigating the identity, habits, and credibility of witnesses in legal proceedings; (3) locating the whereabouts of a particular person; (4) engaging in surveillance; (5) serving legal process; and (6) preparing reports for clients about investigations and testifying in legal proceedings about his investigations.

27. The town of Franklin, Idaho has a population of approximately 800.

28. Franklin is in rural southeastern Idaho and the surrounding towns are similarly small.

29. The population in rural Idaho where Plaintiff Barnes lives is not large enough to provide full-time work as a private investigator.

30. The nearest metropolitan area is Logan, Utah, which has a population of approximately 125,000.

31. Plaintiff Barnes' home is approximately one-half mile from the Utah border and Logan, Utah is about 18 miles away by road.

32. Plaintiff Barnes' wife is an Idaho-licensed registered nurse who is lawfully allowed to work as a nurse in Utah due to an interstate licensing compact.

33. She works in Logan, Utah and drives into Logan daily.

34. Plaintiff Barnes wants to work in Logan, Utah just like his wife and other residents of southeastern Idaho.

35. Plaintiff Barnes started his business just as the nation was overwhelmed by the coronavirus pandemic and its economic consequences.

36. To help support his family and establish his business during tough economic times, Plaintiff Barnes wants to begin working in Utah as quickly as possible. Even with stay-at-home orders in place, if he had a Utah license, Plaintiff Barnes would immediately hold himself out on the internet as a Utah-licensed private investigator and he would solicit work that could be done from home—such as online research, investigative interviews by telephone or videoconference, emailing, preparing declarations or affidavits related to his investigations, and drafting reports for his clients.

37. Plaintiff Barnes has the ability, readiness, and willingness to begin work in Utah as soon as he secures a license.

Utah Bars Plaintiff Barnes Solely Because He Is an Idaho Resident.

38. Unlike Idaho, which does not require a government-issued license to work as a private investigator, Utah does require a license under the Private Investigator Regulation Act (the “Act”). Utah Code §§ 53-9-101, *et seq.*

39. Plaintiff Barnes needs a license to work in Utah because the sorts of investigations he intends to undertake—such as identifying the whereabouts of someone, investigating witness credibility, and gathering evidence about illegal or wrongful acts—falls squarely within the statutory definition of “private investigator.” Utah Code § 53-9-102(17)(a).

40. Under the Act, the Utah Bureau of Criminal Identification (the “Bureau”) has the authority to issue three types of licenses: (1) an agency license, which authorizes the licensee to operate a private-investigation agency; (2) a registrant license, which authorizes the licensee to

work as a private investigator for a licensed agency; and (3) an apprentice license, which authorizes the licensee, who lacks the qualifications for a registrant's license, to work under the direct supervision of an agency. Utah Code § 53-9-107(1).

41. The Bureau is the entity that issues the agency, registrant, and apprentice licenses, but the decision to issue the agency and registrant licenses is made by the Bureau's Private Investigator Hearing and Licensure Board (the "Board"). Utah Code § 53-9-105(1)(a).

42. Every private investigator in Utah must work for a licensed agency. Utah Code § 53-9-107(3)-(4).

43. Because he wants to work independently for his own agency, Plaintiff Mission Investigations Group, Plaintiff Barnes requires an agency license in order to work lawfully in Utah as a private investigator.

44. Plaintiff Barnes cannot, however, obtain an agency license from the Board because the Act's very first criterion for licensure is: "An applicant under this chapter shall be a legal resident of the state" Utah Code § 53-9-108(1)(a).

45. The phrase "shall be a legal resident of the state" imposes a mandatory duty on the Board, which it has no discretion to waive, to automatically reject and deny any application for licensure from a non-Utah resident such as Plaintiff Barnes.

46. The Board's mandatory duty to reject an application that does not satisfy the criteria for licensure, including the residency requirement, is reinforced in the administrative rules: "If the Board determines that an applicant does not meet the qualifications for licensure the board shall deny the application." Utah Admin. Code r. 722-330-6(4)(a).

47. Plaintiff Barnes objectively and indisputably satisfies the other criteria for agency licensure:

- a. He is over 21 years of age. Utah Code § 53-9-108(1)(a)(i);
- b. He has never been:
 - i. “convicted of a felony,” *id.* § 53-9-108(1)(b)(i);
 - ii. “convicted of an act involving illegally using, carrying, or possessing a dangerous weapon,” *id.* § 53-9-108(1)(b)(ii);
 - iii. “convicted of an act of personal violence or force on any person or convicted of threatening to commit” any such act, *id.* § 53-9-108(1)(b)(iii);
 - iv. “convicted of an act involving dishonesty or fraud,” *id.* § 53-9-108(1)(b)(iv);
 - v. “convicted of an act of moral turpitude within the past 10 years,” *id.* § 53-9-108(1)(b)(v);
 - vi. “placed on probation or parole,” *id.* § 53-9-108(1)(b)(vi);
 - vii. “named in an outstanding arrest warrant,” *id.* § 53-9-108(1)(b)(vii); or
 - viii. “convicted of illegally obtaining or disclosing private, controlled, or protected records,” *id.* § 53-9-108(1)(b)(viii);
- c. With his 12 years (24,000 hours) as a police officer and his 4,000-hour credit for his bachelor’s degree in criminal justice, *id.* § 53-9-108(5)(b), Plaintiff Barnes satisfies the “minimum of 5,000 hours of investigative experience that consists of actual work performed as . . . an investigator for a state, county, or

municipal government,” *id.* § 53-9-108(3)(a)(i), that is required for the agency license;

- d. Plaintiff Barnes will substantiate his “investigative work experience . . . on a form prescribed by the [Criminal Investigations] Bureau and certified by [his] employers,” *id.* § 53-9-108(3)(d)(i); and
- e. Plaintiff Barnes will submit an application to the Bureau that contains:
 - i. “[his] full name and business address,” *id.* 53-9-109(1)(a);
 - ii. “one passport-size color photograph of” himself, *id.* § 53-9-109(1)(b);
 - iii. “the name under which [he] intends to do business,” *id.* § 53-9-109(1)(c);
 - iv. “a statement that [he] intends to engage in the private investigative business,” *id.* 53-9-109(1)(d);
 - v. “a verified statement of [his] experience and qualifications,” *id.* § 53-9-109(e); and
 - vi. the required fee, *id.* § 53-9-109(f).
- f. Plaintiff Barnes will verify that he has liability insurance of at least \$500,000 as required under section 53-9-109(2)–(3).

48. Plaintiff Barnes has identified all information for his application, including the specific witnesses who will attest to his investigative experience, and he has identified and obtained a quote for liability insurance, which he has the resources to purchase.

49. On February 18, 2020, Plaintiff Barnes called the Utah Department of Public Safety to inquire about applying for a license.

50. He spoke with Mindy Lindquist who informed him that he should not bother applying because he would be denied as he is not a Utah resident.

51. If Plaintiff Barnes were a Utah resident, and not an Idaho resident, the Board would have a mandatory duty to issue an agency license to Plaintiff Barnes because he fully and objectively satisfies the criteria for licensure except Utah residency: “If the Board determines that an applicant meets the requirements for licensure, the Board shall direct the Bureau to issue the license.” Utah Admin. Code r. 722-330-6(2)(b).

52. Due solely to the residency requirement and no other factors, Plaintiff Barnes has not submitted his application for an agency license to the Board because doing so would be utterly futile, a waste of time and money, and accomplish nothing in terms of enabling him to lawfully engage in private-investigator work in Utah.

53. If the residency requirement did not exist or were declared unenforceable, Plaintiff Barnes would immediately submit his application and the Board would grant him an agency license.

**The Sole Purpose of the Residency Requirement Is Economic Discrimination
Against Americans from States Other Than Utah.**

54. Only one other occupational license in Utah requires state residency—court reporter.

55. Five states do not license private investigators.

56. 44 states besides Utah, as well as the District of Columbia, license private investigators.

57. Of the 44 other states and the District of Columbia that do license private investigators, none require state (or district) residency as a condition of private-investigator licensure.

58. There is no unique aspect of a Utah private investigator’s work—such as surveillance, investigating witness credibility, preparing reports for clients—that necessitates state residency to advance any valid government interest.

59. There is no unique aspect of a Utah private investigator’s work—such as surveillance, investigating witness credibility, and preparing reports for clients—that necessitates Utah residency to advance any valid government interest, in contrast to the 44 states and District of Columbia, which do not require state (or district) residency for private-investigator licensure.

60. The 2011 amendments to the Private Investigator Regulation Act, which enacted the residency requirement, were written by the Private Investigator Association of Utah (the “Association”).

61. The Association is a private industry group that lobbies legislative bodies on behalf of Utah’s licensed private investigators.

62. The Association approached Senator Margaret Dayton in 2010, asking her to sponsor the bill amending the Act to add the residency requirement.

63. Senator Dayton sponsored the Association’s proposed bill, which became S.B. 177.

64. The impetus for S.B. 177 came solely from the Association.

65. Senator Dayton stated during a hearing of the Senate General Session that the “private investigative community . . . c[a]me together united” in seeking the bill for “better

oversight in licensing and protection of the profession.” Senate – 2011 General Session Day 29, at 1:16:05–20, <https://le.utah.gov/av/floorArchive.jsp?markerID=69983>.

66. The following day, in a hearing of the Senate General Session, she added that “this is another in a series of bills by the private investigator association.” Senate - 2011 General Session - Day 30, at 1:09:36–48, <https://le.utah.gov/av/floorArchive.jsp?markerID=70068>.

67. During the House floor discussion of S.B. 177, House sponsor Representative Keith Grover expressly stated that the bill did not originate from any government agency but instead came solely from the Association: “This bill is an attempt by the private investigators to regulate their own industry. Perhaps it was misunderstood that this is a state regulation”

House – 2011 General Session – Day 45, at 00:16:07–33, <https://le.utah.gov/av/floorArchive.jsp?markerID=71859>.

68. Representative Grover stated that a specific purpose of S.B. 177 was discrimination against interstate commerce to keep “unqualified out-of-state competitors from taking Utah jobs.” *Id.* at 00:17:07–11.

69. Representative Clark expressly approved the discrimination against interstate commerce: “I’m all right with keeping things in the state of Utah.” *Id.* at 00:24:03–06.

70. Representative Clark stated that S.B. 177 was a “self-preservation bill on behalf of the PIs,” designed to “lock-up the system” in favor of those already licensed. *Id.* at 00:23:57–24:04.

INJURY TO PLAINTIFFS

71. Participating in the Utah private-investigator industry is necessary for Plaintiff Barnes to work as a private investigator because his local Idaho market is too small to sustain a

business, but the state residency requirement in Utah Code section 53-9-108 is a categorical bar to his participation in the Utah market.

72. Participating in the Utah private-investigator industry is necessary for Plaintiff Mission Investigations Group, LLC to sustain a business.

73. But for the state residency requirement in Utah Code section 53-9-108, Plaintiff Barnes would immediately apply for a private investigator's agency license.

74. But for the state residency requirement in Utah Code section 53-9-108, it would not be an utterly futile act for Plaintiff Barnes, a resident of Idaho, to apply for a private investigator's agency license.

75. But for the state residency requirement in Utah Code section 53-9-108, the Board would, upon application, have a mandatory duty to grant Plaintiff Barnes a private investigator's agency license because he objectively and indisputably satisfies the criteria for licensure, except state residency.

76. But for the state residency requirement in Utah Code section 53-9-108, the Board would grant Plaintiff Barnes a private investigator's agency license and he would immediately commence private-investigator work in Utah, especially in the Logan metropolitan area.

77. But for the state residency requirement in Utah Code section 53-9-108, Plaintiff Barnes would obtain a private investigator's agency license on equal terms with residents of Utah.

78. But for the state residency requirement in Utah Code section 53-9-108, Plaintiff Barnes would enjoy the same privileges and immunities as Utah residents with respect to private-

investigator licensure, and he would exercise those privileges and immunities to obtain a private investigator's agency license.

79. But for the facial discrimination against interstate commerce in the state residency requirement of Utah Code section 53-9-108, there would be an interstate market in private-investigator services in Utah in the same way that there is an interstate market in private-investigator services in every other American jurisdiction, and Plaintiff Barnes would obtain a private investigator's agency license and participate in Utah's (presently nonexistent) interstate market.

80. These ongoing irreparable harms will continue indefinitely as long as the state residency requirement in Utah Code section 53-9-108 remains enforceable.

CONSTITUTIONAL VIOLATIONS

Count I: Equal Protection

81. Paragraphs 1 through 80 are incorporated as though fully set forth herein.

82. Plaintiff Barnes is an Idaho resident who seeks to obtain a private-investigator agency license from the Private Investigator Hearing and Licensure Board.

83. Plaintiff Barnes satisfies every criterion for licensure except one: He is not a Utah resident and hence is excluded from licensure under Utah Code section 53-9-108(a).

84. Because section 53-9-108(a) requires state residency as a condition of licensure, the Board cannot grant Plaintiff Barnes a license.

85. If Plaintiff Barnes were a Utah resident, the Board would grant him a private-investigator license upon application because he satisfies all other criteria for licensure.

86. Residents of Utah and nonresidents of Utah are similarly situated in their qualifications for private-investigator licensure.

87. These similarly situated groups are not being treated differently based on qualifications.

88. These similarly situated groups are being treated differently based solely on residency status.

89. The Board would, upon application, grant a private-investigator license to any Utah resident with a background materially identical to Plaintiff Barnes.

90. Plaintiff Barnes' Idaho residency is the sole impediment to his licensure in Utah as a private investigator and an objective fact that renders it futile for him to apply.

91. The statutory distinction in section 53-9-108(a) between Utah residents and the residents of anywhere else in the United States is not rationally related to any legitimate government interest.

92. The sole purpose and effect of the statutory distinction is protecting Utah-resident private investigators from economic competition by private investigators who reside in other states.

93. Economic protectionism is not a legitimate government interest under the Equal Protection Clause.

94. By denying Plaintiff Barnes the equal protection of the law, Defendants are inflicting an ongoing irreparable harm.

95. Without declaratory and injunctive relief from this Court, that irreparable harm will continue indefinitely.

Count II: Privileges and Immunities

96. Paragraphs 1 through 95 are incorporated as though fully set forth herein.

97. Plaintiff Barnes is an Idaho resident who seeks to obtain a private-investigator agency license from the Private Investigator Hearing and Licensure Board.

98. Plaintiff Barnes satisfies every criterion for licensure except one: He is not a Utah resident and hence is excluded from licensure under Utah Code section 53-9-108(a).

99. Because section 53-9-108(a) requires state residency as a condition of licensure, the Board cannot grant Plaintiff Barnes a license.

100. If Plaintiff Barnes were a Utah resident, the Board would grant him a private-investigator license upon application because he satisfies all other criteria for licensure.

101. The Board would, upon application, grant a private-investigator license to any Utah resident with a background materially identical to Plaintiff Barnes.

102. Plaintiff Barnes' Idaho residency is the sole impediment to his licensure in Utah as a private investigator and an objective fact that renders it futile for him to apply.

103. Working as a private investigator in Utah via an agency license is a privilege and immunity of Utah citizens that the state of Utah is denying the "Citizens in the several states," U.S. Const. art. IV, § 2, including citizens of Idaho such as Plaintiff Barnes.

104. The statutory distinction in section 53-9-108(a) that grants certain privileges and immunities to Utah residents while denying the same to residents of other states does not advance any substantial government interest.

105. The sole purpose and effect of the statutory distinction is protecting Utah-resident private investigators from economic competition by private investigators who reside in other states.

106. Economic protectionism is not a substantial government interest under the Privileges and Immunities Clause.

107. There are nondiscriminatory, less restrictive alternatives to requiring in-state residency.

108. Given that five states do not require a license to be a private investigator and that the 45 other licensing jurisdictions do not require state residency, the existence of less-restrictive alternatives is indisputable.

109. Utah itself had this less-restrictive alternative in place until the residency requirement was added in 2011.

110. By denying Plaintiff Barnes the privileges and immunities available to Utah citizens solely on the basis of his Idaho residency, Defendants are inflicting an ongoing irreparable harm.

111. Without declaratory and injunctive relief from this Court, that irreparable harm will continue indefinitely

Count III: Commerce Clause

112. Paragraphs 1 through 111 are incorporated as though fully set forth herein.

113. Plaintiff Barnes is an Idaho resident who seeks to obtain a private-investigator agency license from the Private Investigator Hearing and Licensure Board.

114. Plaintiff Barnes satisfies every criterion for licensure except one: He is not a Utah resident and hence is excluded from licensure under Utah Code section 53-9-108(a).

115. Because section 53-9-108(a) requires state residency as a condition of licensure, the Board cannot grant Plaintiff Barnes a license.

116. If Plaintiff Barnes were a Utah resident, the Board would grant him a private-investigator license upon application because he satisfies all other criteria for licensure.

117. The Board would, upon application, grant a private-investigator license to any Utah resident with a background materially identical to Plaintiff Barnes.

118. Plaintiff Barnes' Idaho residency is the sole impediment to his licensure in Utah as a private investigator and an objective fact that renders it futile for him to apply.

119. Except for Utah, there is a nationwide interstate market for private-investigator services in which state residency is irrelevant: no other state (or the District of Columbia) requires state residency as a condition of lawfully working in that jurisdiction as a private investigator.

120. The state residency requirement in Utah Code section 53-9-108 prevents not only Plaintiff Barnes from working lawfully in Utah as a private investigator, it discriminates facially against the economic activity of all non-residents who want to work lawfully in Utah as a private investigator.

121. The state residency requirement in Utah Code section 53-9-108 functions as a categorical bar on all incoming interstate commerce in private-investigator services (Utah private investigators can still participate in the markets of the 49 other states and the District of Columbia on equal terms with the residents of those jurisdictions).

122. The sole purpose and effect of the state residency requirement in Utah Code section 53-9-108 was to destroy all incoming interstate commerce in private-investigator services and hoard the entire Utah market for Utah residents.

123. Facially discriminating against interstate commerce solely to protect state residents from interstate economic competition is unconstitutional *per se*.

124. The facial discrimination against interstate commerce in Utah Code section 53-9-108 is not supported by any legitimate local purpose.

125. Even if Utah had a legitimate local purpose in facial discrimination against interstate commerce, a total ban on participation in the Utah market by nonresidents has less restrictive alternatives, as demonstrated by the 45 other licensing jurisdictions and the five states that do not license private investigators at all.

126. Without declaratory and injunctive relief from this Court, the irreparable harm that the state of Utah is inflicting on Plaintiff Barnes by eliminating the interstate market will continue indefinitely.

PRAYER FOR RELIEF

A. For preliminary and permanent injunctions enjoining enforcement of the state-residency requirement for private investigators in Utah Code section 53-9-108(1)(a), as well as enjoining enforcement of any other statute, administrative rule, and practice, policy, or custom that conditions private-investigator licensure on state residency.

B. For a declaratory judgment holding that the state-residency requirement in Utah Code section 53-9-108(1)(a) is unconstitutional, void, and unenforceable under the Equal

Protection Clause of the Fourteenth Amendment, the Privileges and Immunities Clause, and the Commerce Clause.

- C. For costs and reasonable attorney's fees.
- D. For other equitable relief that the Court deems just and proper.

Dated: April 29, 2020

Respectfully submitted,

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** Admission pro hac vice pending*

CERTIFICATE OF SERVICE

I hereby certify that on April 29, 2020, I electronically filed the foregoing Complaint with the Clerk of Court using the CM/ECF system.

I further certify that the foregoing Complaint, and the Summons in this civil action will be served upon the following via a process server:

Sean D. Reyes
Attorney General
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Jess L. Anderson, Commissioner
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/s/ Jared R. Coburn
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