

1 constitutionally-protected rights. (Doc. 4 at 14-16.) Furthermore, Plaintiff alleges Defendants
2 conspired to commit the fraud that abridged his rights. (Doc. 4 at 16-17.) Finally, Plaintiff
3 alleges intentional infliction of emotional distress resulting from Defendants' fraudulent acts.
4 (Doc. 4 at 17-18.)

5 ANALYSIS

6 The Constitution limits the jurisdiction of federal courts. U.S. Const. art. III § 2. One
7 such limit is that a federal court cannot adjudicate a controversy unless it is brought by a
8 party who has standing to sue. Schlesinger v. Reservists Comm. to Stop the War, 418 U.S.
9 208, 220 (1974). Standing to sue comes from having a sufficient stake in the controversy
10 being presented. Sierra Club v. Morton, 405 U.S. 727, 731 (1972). But "standing to sue may
11 not be predicated upon an interest . . . held in common by all members of the public."
12 Schlesinger, 418 U.S. at 220.

13 Plaintiff's alleged injuries flow from Plaintiff's interest in voting for eligible
14 candidates for elected office. Plaintiff's interest is held in common by all members of the
15 public. That common interest does not confer standing on Plaintiff. As a result, the Court
16 cannot adjudicate Plaintiff's complaint, and the case must be dismissed in its entirety.


17 Accordingly,

18 **IT IS ORDERED** that Defendant's Motion to Dismiss (Doc. 18) is **GRANTED**.

19 **FURTHER ORDERED** that Plaintiff's claims are **DISMISSED WITH**
20 **PREJUDICE**.

21 **FURTHER ORDERED** that all other pending motions (Docs. 11, 26, 31, 32) are
22 **DISMISSED AS MOOT**.

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24 DATED this 13th day of August, 2009.

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Roslyn O. Silver
United States District Judge