

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Michael Hunter,

Case No. 22-cv-0773 (WMW/ECW)

Petitioner,

ORDER

v.

Lindsey Graham, Ted Cruz,
Josh Hawley, Joe Manchin, Kyrsten
Sinema, Mitch McConnell, One Hundred
Forty Eight Unnamed Congresspersons,
Mr. and Mrs. Thomas, and Donald J.
Trump,¹

Respondents.

Before the Court are Petitioner Michael Hunter's petition to issue a writ of mandatory injunction, (Dkt. 1), motion for leave to proceed *in forma pauperis* (IFP), (Dkt. 2), and motion to appoint Liz Cheney as a *guardian ad litem*, (Dkt. 7). For the reasons addressed below, the Court dismisses the petition for lack of subject-matter jurisdiction and denies as moot Hunter's motions.

BACKGROUND

Hunter's petition alleges that several members of the United States Congress are corrupt. The petition also alleges that Congress inappropriately passed certain legislation during the presidency of Donald J. Trump and failed to pass certain legislation during the presidency of Joseph R. Biden. Hunter, therefore, contends that certain individuals are

¹ The petition names "Joe Machin" and "Christian Sinema" as respondents. The Court presumes that Petitioner intended to name Joe Manchin and Kyrsten Sinema.

constitutionally required to resign from their offices. Hunter also alleges that certain individuals in the government have incited division.

Hunter requests that the Court issue injunctions (1) directing the IRS to audit numerous members of Congress; (2) compelling certain members of Congress to “[d]isqualify” themselves and to vote in favor of “President Biden’s proposed Build Back Better Law”; (3) compelling a “vote on the bill to protect the Federal rights to vote and use of the United States Mails to timely [s]ubmit vote”; and (4) requiring “employment at every polling site in the country of deputy United States Marshal Service” to protect voters’ rights. Hunter also asks the Court to enter a declaratory judgment that “the Tax Cuts and Jobs Act of 2017” is void, and to enjoin Respondents from “spreading any fraudulent claims of the elections,” “Trump shall no longer claim he won the 2020 election.” (Dkt. 1 at 33.)

ANALYSIS

The United States Constitution authorizes federal district courts to decide cases or controversies. U.S. Const. art. III. To qualify as a case or controversy, a case must “embody a genuine, live dispute between adverse parties.” *Carney v. Adams*, 141 S. Ct. 493, 498 (2020); *accord County of Mille Lacs v. Benjamin*, 361 F.3d 460, 463 (8th Cir. 2004). Accordingly, litigants must establish standing, which requires that they have “suffered a concrete and particularized injury that is fairly traceable to the challenged conduct[] and is likely to be redressed by a favorable judicial decision.” *Carney*, 141 S. Ct. at 498 (internal quotation marks omitted).

A plaintiff cannot establish Article III standing by pointing to “a generally available grievance about government—claiming only harm to his and every citizen’s interest in the

proper application of the Constitution and laws, and seeking relief that no more directly and tangibly benefits him than it does the public at large.” *Lujan v. Defs. of Wildlife*, 504 U.S. 555, 573–74 (1992); *accord Carney*, 141 S. Ct. at 498.

Hunter alleges that various legislative officials have violated the United States Constitution. But the petition does not contain facts that support how Hunter has personally suffered a concrete and particularized injury. Instead, Hunter presents only generalized grievances. Because Hunter fails to establish standing, the Court lacks jurisdiction over this action.

ORDER

Based on the foregoing analysis and all the files, records and proceedings herein, **IT IS HEREBY ORDERED:**

1. This action is **DISMISSED WITHOUT PREJUDICE** for lack of subject-matter jurisdiction.
2. Petitioner Michael Hunter’s application for leave to proceed *in forma pauperis*, (Dkt. 2), and motion to appoint Liz Cheney as a *guardian ad litem*, (Dkt. 7), are **DENIED AS MOOT**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: May 9, 2022

s/Wilhelmina M. Wright
Wilhelmina M. Wright
United States District Judge