



The doctrine of standing enforces the constitutional requirement of a “case or controversy” found in Article III of the Constitution. *Ezell v. City of Chicago*, 651 F.3d 684, 695 (7th Cir. 2011). Standing requires, *inter alia*, that a plaintiff suffer an injury in fact and that there be “a fairly traceable connection between the plaintiff’s injury and the complained-of conduct of the defendant.” *Steel Co. v. Citizens for a Better Environment*, 523 U.S. 83, 103 (1998).

The action is dismissed pursuant to § 1915(e)(2) as frivolous because the court lacks jurisdiction over Guthrie’s action. The reason for this is that he lacks standing to seek the ouster from office of the President and the Vice-President or to obtain the other relief he seeks. *See Sibley v. Obama*, 866 F.Supp.2d 17, 19, 20 (D.D.C. 2012).

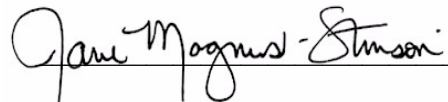
“[U]nless both subject-matter and personal jurisdiction have been established, a district court must dismiss the suit without addressing the substance of the plaintiff’s claim.” *Kromrey v. U.S. Dept. of Justice*, 423 Fed. Appx. 624, 626, 2011 WL 2419879, 1 (7th Cir. 2011). In this instance, subject matter jurisdiction is absent, requiring that the action be dismissed. *Steel Co. v. Citizens for a Better Environment*, 523 U.S. 83, 94 (1998)(“Jurisdiction is power to declare the law, and when it ceases to exist, the only function remaining to the court is that of announcing the fact and dismissing the cause.”)(quoting *Ex parte McCordle*, 7 Wall, 506, 514, 19 L.Ed. 264 (1868)).

## II.

The plaintiff’s motion for an order directing service of process [3] is **denied as moot**. Judgment consistent with this Entry shall now issue.

**IT IS SO ORDERED.**

Date: 01/18/2013



Hon. Jane Magnus-Stinson, Judge  
United States District Court  
Southern District of Indiana

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