

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

JANE GRAHAM,
V.Z. LAWTON,

Plaintiffs,

vs.

WARDEN HARLEY LAPPIN,
INDIANA ATTORNEY GENERAL
STEVE CARTER,

Defendants.

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TH 01-104-C-T/G

ENTRY

The plaintiffs' complaint and associated filings have been considered, as has the Entry of May 17, 2001, and as have the parties' subsequent filings in response to that Entry.

For the reasons explained in Part III.B. of the court's Entry of May 17, 2001, this action is dismissed for lack of jurisdiction. This disposition is based on the facts that the plaintiffs lack standing in the action and that without standing their complaint fails to invoke the court's limited subject matter jurisdiction. The plaintiffs' response to the Entry of May 17, 2001, which unfortunately was not received until June 1, 2001, does not demonstrate otherwise. An action over which the district court lacks jurisdiction must be dismissed. *Steel Co. v. Citizens for a Better Environment*, 118 S. Ct. 1003 (1998). The plaintiffs' motion to take Mr. McVeigh's deposition and the plaintiffs' motion to stay Mr. McVeigh's execution are each denied as moot.

Judgment consistent with this Entry shall now issue.

IT IS SO ORDERED.

John Daniel Tinder

JOHN D. TINDER, Judge
United States District Court

Date: 6-8-01

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J U D G M E N T

The court, having this day made its Entry,

IT IS THEREFORE ADJUDGED that this cause of action is **dismissed for lack of jurisdiction.**

John Daniel Tinder

JOHN D. TINDER, Judge
United States District Court

Date: 6-8-01

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