

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA**

Case No. 11-cv-61058-KMM

SCOTT GREGORY BEACH,

Plaintiff,

vs.

FEDERAL RESERVE BANK OF ATLANTA,

Defendant.

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**ORDER GRANTING DEFENDANT'S MOTION TO DISMISS**

THIS CAUSE came before the Court upon Defendant's Motion to Dismiss (ECF No. 10). Plaintiff did not file a Response. This Motion is now ripe for review.

On November 12, 2010, Plaintiff, Scott Gregory Beach, filed a Complaint against Defendant, Federal Reserve Bank of Atlanta, claiming that the Defendant is issuing notes that it has no intention of redeeming, that the Defendant is engaged in counterfeiting, and that the Defendant is making efforts to cause hyperinflation. Compl. (ECF No. 1). On April 19, 2011, Defendant filed a Motion to Dismiss the Complaint. Plaintiff did not file a Response, and on July 18, 2011, the Court issued an Order to Show Cause requiring the Plaintiff to show cause why the Court should not grant the Plaintiff's motion by default. See Order to Show Cause (ECF No. 11). Plaintiff responded to this Order to Show Cause on July 25, 2011, and the Court accepts that he provided his Response to Defendant's Motion to Dismiss therein. See Response to Judge Moore's Order to Show Cause (ECF No. 12).

The plaintiff in a case bears the burden of establishing his standing to file suit. The plaintiff must be able to show “that [his] claimed injury is personal, particularized, concrete, and otherwise judicially cognizable.” Raines v. Byrd, 521 U.S. 811, 819 (1997). Article III of the U.S. Constitution sets forth the basic standing requirements for a plaintiff seeking to pursue claims in federal court. Under Article III, (i) the plaintiff must have suffered an injury-in-fact which is actual, not hypothetical; (ii) there must be a causal connection between the injury and the conduct complained of; and (iii) it must be likely, not merely speculative, that the injury will be redressed by a favorable decision. Lujan v. Defenders of Wildlife, 504 U.S. 555, 560 (1992). Assertions about what might happen do not establish an injury that is concrete and particularized. Nat’l Alliance for Mentally Ill, St. John’s Inc. v. Bd. of Cnty. Comm’rs of St. John’s Cnty., 376 F.3d 1292, 1294 (11th Cir. 2004).

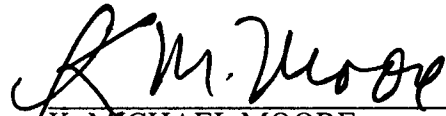
Plaintiff’s Complaint makes allegations that the Defendant is issuing notes it does not intend to redeem, that the Defendant is “essentially counterfeiting,” and that the Defendant is making efforts to cause hyperinflation. The Plaintiff demands broad injunctive and declaratory relief by the Court including: (1) enjoining the Defendant from issuing Federal Reserve notes; (2) forcing Defendant to “wind up its business and completely cease operating;” and (3) declaring Defendant’s “Organization Certificate” null and void.

The Plaintiff has not established his standing to bring this cause of action. The Plaintiff fails to demonstrate how he has been injured-in-fact. His claims are clearly hypothetical and speculative in nature, and are by no means particularized to him.

Accordingly, UPON CONSIDERATION of the Motion, the pertinent portions of the record, and being otherwise fully advised in the premises, it is

ORDERED AND ADJUDGED that Defendant's Motion to Dismiss (ECF No. 10) is GRANTED. Plaintiff's Complaint is DISMISSED WITHOUT PREJUDICE. The Clerk of the Court is instructed to CLOSE this Case. All pending Motions are DENIED AS MOOT.

DONE AND ORDERED in Chambers at Miami, Florida, this 27<sup>th</sup> day of July, 2011.

  
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K. MICHAEL MOORE  
UNITED STATES DISTRICT JUDGE

cc: All counsel of record