

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Toby Stover v. National Park Service et al.

Stover · No. Civil Action No. 24-639 (TJK) · Decided December 3, 2025

SUMMARY

The United States District Court for the District of Columbia dismissed Toby Stover's challenge to the National Park Service's cashless payment policy for lack of Article III standing. The court held that her past denial of entry did not support declaratory or injunctive relief and that her stated desire to return to the site did not establish an imminent or concrete injury. The court also concluded that alleged statutory rights under the Administrative Procedure Act and Legal Tender Statute could not substitute for a concrete injury in fact.

CASE DETAILS

COURT	United States District Court for the District of Columbia
WRITING FOR THE COURT	Timothy J. Kelly
JURISDICTION	United States District Court for the District of Columbia
DECIDED	December 3, 2025
DOCKET	Civil Action No. 24-639 (TJK)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendants moved under Federal Rule of Civil Procedure 12(b)(1) and 12(b)(6) to dismiss an amended complaint challenging the National Park Service's cashless admission policy. The court granted the motion under Rule 12(b)(1) because the plaintiff failed to plausibly allege Article III standing.
STANDARD OF REVIEW	At the Rule 12(b)(1) stage, the plaintiff bears the burden of establishing subject-matter jurisdiction and standing. The court assumes the truth of material factual allegations and grants the plaintiff the benefit of reasonable inferences, while requiring plausible allegations of a concrete, particularized, actual or imminent injury that is fairly traceable to the defendant and redressable by the court.
PRECEDENTIAL VALUE	published district court memorandum opinion

TOPICS

- standing
- motions to dismiss
- subject matter jurisdiction
- administrative procedure act
- national parks

PRACTICE AREAS

civil procedure

administrative law

constitutional law

public lands

QUESTIONS PRESENTED

1. Whether Stover plausibly alleged an injury in fact sufficient to establish Article III standing for declaratory and quasi-injunctive relief challenging the National Park Service's cashless admission policy.
2. Whether an alleged statutory violation under the Administrative Procedure Act or the Legal Tender Statute, without a concrete real-world injury, independently establishes Article III standing.

HOLDINGS

1. Stover did not plausibly allege an imminent injury because she alleged no concrete plans to revisit Hyde Park or another National Park Service site and instead expressed only a generalized desire to visit sometime in the future.
2. Stover did not plausibly allege a concrete injury because the cashless policy did not prevent her from visiting the site or paying the entrance fee electronically; her objection to electronic payment amounted only to an injury in law.
3. Stover's decision to avoid visiting Hyde Park because she objected to paying electronically was self-inflicted harm and did not satisfy the injury-in-fact requirement.
4. Alleged statutory standing under the Administrative Procedure Act or the Legal Tender Statute cannot substitute for the concrete injury required by Article III.

KEY QUOTATIONS

“At the motion-to-dismiss stage, to establish Article III standing, plaintiffs must show that they have alleged that they ‘suffer[ed] an ‘injury in fact’ that is both ‘concrete and particularized’ and either ‘actual or imminent.’” (2)

“past injuries alone are insufficient to establish standing. Rather, [a plaintiff] must show [she] is suffering an ongoing injury or faces an immediate threat of injury.” (3)

“‘some day’ intentions—without any description of concrete plans, or indeed even any specification of when the some day will be—do not support a finding of the ‘actual or imminent’ injury.” (4)

“Article III standing requires a concrete injury even in the context of a statutory violation.” (5)

FACTUAL BACKGROUND

In January 2024, Toby Stover attempted to visit the Home of Franklin D. Roosevelt National Historic Site in Hyde Park, New York, and attempted to pay the \$10 entrance fee in cash. A National Park Service employee refused the cash payment and denied her entry because the site accepted electronic payment only. Stover alleged that she still wanted to visit the site but would not do so while the cashless policy remained in effect, although she did not allege concrete plans to return or an inability to pay electronically.

PROCEDURAL HISTORY

Stover originally sued with two other plaintiffs concerning cashless policies at National Park Service locations. The court dismissed the original complaint for failure to plausibly allege an injury in fact but allowed amendment. Stover filed an amended complaint asserting claims under the Administrative Procedure Act and the Legal Tender Statute; defendants again moved to dismiss. The court concluded that the amended allegations still failed to establish standing and dismissed the case.

DISPOSITION

dismissed

CASES CITED

- DaimlerChrysler Corp. v. Cuno, 547 U.S. 332, 342 (2006)
- Little v. Fenty, 689 F. Supp. 2d 163, 166-68 (D.D.C. 2010)
- Osborn v. Visa Inc., 797 F.3d 1057, 1063 (D.C. Cir. 2015)
- Dearth v. Holder, 641 F.3d 499, 501 (D.C. Cir. 2011)
- Lujan v. Defenders of Wildlife, 504 U.S. 555, 560, 563-64 (1992)
- TransUnion LLC v. Ramirez, 594 U.S. 413, 423, 425, 427, 431 (2021)
- American National Insurance Co. v. FDIC, 642 F.3d 1137, 1139 (D.C. Cir. 2011)
- Animal Legal Defense Fund, Inc. v. Vilsack, 111 F.4th 1219, 1227 (D.C. Cir. 2024)
- Susan B. Anthony List v. Driehaus, 573 U.S. 149, 158 (2014)
- Clapper v. Amnesty International USA, 568 U.S. 398, 409-10, 414 n.5 (2013)
- Spokeo, Inc. v. Robins, 578 U.S. 330, 340-41 (2016)
- Cherokee Nation v. U.S. Department of the Interior, 643 F. Supp. 3d 90, 106 (D.D.C. 2022)
- National Family Planning & Reproductive Health Association, Inc. v. Gonzales, 468 F.3d 826, 831 (D.C. Cir. 2006)