

**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF
MASSACHUSETTS**

Timothy Boie v. Doe

No. 25-cv-11402-IT, United States District Court for the District of Massachusetts (December 9, 2025)

SUMMARY

The United States District Court for the District of Massachusetts dismissed Timothy Boie's action for lack of jurisdiction. The court concluded that Boie failed to establish Article III standing and that the United States had not waived sovereign immunity, and it terminated all pending motions as moot.

OPINION

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS
TIMOTHY BOIE, * * Plaintiff, * * v. * Civil Action No. 25-cv-11402-IT * DOE, * * Defendant.
* * ORDER December 9, 2025 TALWANI, D.J. On June 27, 2025, the court issued an order finding that the complaint of Plaintiff Timothy Boie, who is proceeding pro se, failed to state a claim upon which relief could be granted.

Mem. & Order [Doc. No. 15]. The court directed him to file an amended complaint to cure the pleading deficiencies of the original complaint, and stated that failure to do so would result in dismissal of the action without prejudice. Id. Since that date, Plaintiff has filed three amended complaints [Doc. Nos. 17, 20, 21], two motions for emergency injunctive relief [Doc.

Nos. 18, 22], and three other motions [Doc. Nos. 19, 24, 25]. For the reasons set forth below, the court will DISMISS this action and terminate all pending motions. I. Summary of Plaintiff's Third Amended Complaint The court treats Plaintiff's Third Amended Complaint [Doc. No. 21] as his operative complaint.

In this pleading, Plaintiff has named the United States as the sole defendant. Plaintiff claims that "[t]he Defendant is violating [t]he Plaintiff's First Amendment right by providing the Plaintiff false White House website (www.whitehouse.gov) content on devices at public, government, and private locations[.]" Id. ¶ 1. Plaintiff states that he is a "musician and professional software engineer," and that he has "independently created a high-profile collection of works that are on the Internet." Id. ¶ 2.

Plaintiff asserts that his "career and high-publicity homelessness make [him] a target for false White House website content by [t]he Defendant." Id. Plaintiff further alleges that "[n]on-digital documents of presidential election results proving White House website content are not provided

to [him]" from the National Archives, the Massachusetts Archives and the "Massachusetts Secretary of Commonwealth Office." Id. ¶ 3.

In his prayer for relief, Plaintiff asks that the Defendant "stop[] stalking and harassing" him and provide him with "true White House website content on devices at public, government, and private locations." Id. at 4. II. Lack of Jurisdiction A. Article III Jurisdiction This action does not present a claim over which the court may exercise jurisdiction. Article III of the Constitution limits the jurisdiction of the federal courts to "Cases" or "Controversies," U.S. Const. art. III, § 2, and a federal court's "obligation to inquire sua sponte into [its] jurisdiction over the matter" exists in every case," *Fideicomiso De La Tierra Del Cano Martin Pena v. Fortuno*, 604 F.3d 7, 16 (1st Cir.

2010) (quoting *Doyle v. Huntress, Inc.*, 419 F.3d 3, 6 (1st Cir. 2005)). For a case or controversy to exist, the plaintiff must have standing, or, in other words, the plaintiff must have a "'personal stake in the outcome' of the claim asserted." *Pagan v. Calderon*, 448 F.3d 16, 27 (1st Cir. 2006) (quoting *Baker v. Carr*, 369 U.S. 186, 204 (1962)). "To establish standing, a plaintiff must present an injury that is concrete, particularized, and actual or imminent; fairly traceable to the defendant's challenged action; and redressable by a favorable ruling." *Horne v. Flores*, 557 U.S. 433, 445 (2009). "For an injury to be 'particularized,' it 'must affect the plaintiff in a personal and individual way.'" *Spokeo, Inc. v. Robins*, 578 U.S. 330, 339 (2016) (quoting *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560 n.1, 112 S.Ct.

2130, 119 L.Ed.2d 351 (1992)). "Injuries that are too 'widely shared' or are 'comparable to the common concern for obedience to law' may fall into the category of generalized grievances about the conduct of government." *Lyman v. Baker*, 954 F.3d 351, 361 (1st Cir. 2020) (quoting *Becker v. Fed. Election Comm'n*, 230 F.3d 381, 390 (1st Cir. 2000)). "Article III does not contemplate a system where 330 million citizens can come to federal court whenever they believe that the government is acting contrary to the Constitution or other federal law." *Food & Drug Admin. v. All. for Hippocratic Med.*, 602 U.S. 367, 382 (2024).

Here, Plaintiff does not state an Article III case or controversy because he does not have standing to bring this action. Plaintiff does not sufficiently allege, inter alia, a particularized injury arising from the allegedly false information on the website of the White House. Rather, any injury Plaintiff has suffered or will suffer from the contents of the website is too widely shared to affect Plaintiff in a personal and individual way.

Although Plaintiff asserts that his "career and high-publicity homelessness make [him] a target for false White House website content" [Doc. No. 21 ¶ 2], he does not explain how any injury he suffers is particularized. Indeed, Plaintiff claims in his motion for an emergency injunction that the allegedly false information on the website for the White House constitutes "stalking and harassing of all people." [Doc.

No. 22 at 1]. B. Sovereign Immunity of the United States The United States (including its various branches, departments, and agencies) enjoys immunity from suit except in those instances in which it has expressly consented to be sued. See *FDIC v. Meyer*, 510 U.S. 471, 475 (1994). A waiver of sovereign immunity must be expressly and unequivocally found in the statutory text and cannot be implied.

See *Lane v. Pena*, 518 U.S. 187, 192 (1996). Sovereign immunity is jurisdictional, and “deprives courts of the power to hear suits against the United States absent Congress’s express consent.” *United States v. Miller*, 604 U.S. 518, 527 (2025). This case does not present a claim for which the United States has waived its sovereign immunity. III. Conclusion In accordance with the foregoing, the court hereby orders: 1.

This action is DISMISSED for lack of jurisdiction. 2. All pending motions shall be terminated as moot. IT IS SO ORDERED. /s/ Indira Talwani United States District Judge Dated: December 9, 2025