



Mike Beebe, Individual and Official \*  
Capacity; State of Arkansas, \*  
\*  
Appellees, \*  
\*  
Martha McCaskill, Individual and \*  
Official Capacity, \*  
\*  
Defendants. \*

---

Submitted: June 4, 2009  
Filed: July 27, 2009

---

Before RILEY, SMITH, and BENTON, Circuit Judges.

---

PER CURIAM.

R.S. McCullough challenges the district court's<sup>1</sup> dismissal of his civil action for lack of standing. After de novo review, *see St. Paul Area Chamber of Commerce v. Gaertner*, 439 F.3d 481, 484 (8th Cir. 2006) (standard of review), we agree that he lacked standing, *see Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560-61, 573-74 (1992) (party invoking federal jurisdiction bears burden of establishing standing elements; recognizing that plaintiff who raises only generally available grievance about government does not state Article III case or controversy); *cf. Shaw v. Hunt*, 517 U.S. 899, 904 (1996) (plaintiff who resides in district which is subject of racial-gerrymander claim has standing to challenge legislation which created that district, but plaintiff from outside that district lacks standing absent specific evidence that he personally has been subjected to racial classification); *United States v. Hays*, 515 U.S. 737, 743-44 (1995) (rule against generalized grievances applies with as much force in equal protection context; if governmental actor is discriminating on basis of race,

---

<sup>1</sup>The Honorable William R. Wilson, Jr., United States District Judge for the Eastern District of Arkansas.

resulting injury accords basis for standing only to those persons who are personally denied equal treatment by challenged discriminatory conduct); *Oti Kaga, Inc. v. S.D. Hous. Dev. Auth.*, 342 F.3d 871, 880 (8th Cir. 2003) (claimed injury runs afoul of prudential standing when its effects are indistinct from those felt by persons generally, thus depriving plaintiff of unique stake in controversy).

Accordingly, we affirm. *See* 8th Cir. R. 47B.

---