

## Denial of the Right to Vote Because of Eviction

*Dowd v. Town of Dedham (Joseph L. Tauro and Marianne B. Bowler, D. Mass. 1:01-cv-10944)*

A pro se plaintiff filed a complaint in the U.S. District Court for the District of Massachusetts on Tuesday, June 5, 2001, four days before an election scheduled for Dedham, Massachusetts.<sup>1</sup> The plaintiff challenged denial of his right to vote in Dedham arising from his eviction from a residence there.<sup>2</sup> On June 6, Judge Joseph L. Tauro granted the plaintiff's motion to proceed in forma pauperis,<sup>3</sup> and Judge Tauro issued an order for the plaintiff to show cause why the complaint should not be dismissed for lack of merit.<sup>4</sup>

Based on an amended complaint filed on June 7,<sup>5</sup> Judge Tauro ordered that day that the case be referred to a magistrate judge.<sup>6</sup> On June 8, Magistrate Judge Marianne B. Bowler recommended dismissal of the action.<sup>7</sup> On July 8, Judge Tauro adopted Judge Bowler's recommendation and dismissed the case.<sup>8</sup> The court of appeals affirmed the dismissal on January 3, 2002.<sup>9</sup>

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1. Complaint, [Dowd v. Town of Dedham](#), No. 1:01-cv-10944 (D. Mass. June 6, 2001), D.E. 4.

2. [Dowd v. Dedham](#), 25 F. App'x 6 (1st Cir. 2002); see Complaint, [Dowd v. McIntyre](#), No. 1:00-cv-11611 (D. Mass. Aug. 14, 2000), D.E. 4 (unsuccessful eviction challenge); Complaint, [Dowd v. Town of Dedham](#), No. 1:00-cv-10421 (D. Mass. Mar. 6, 2000), D.E. 2 (unsuccessful 2000 action for right to vote in Dedham).

3. Docket Sheet, [Dowd](#), No. 1:01-cv-10944 (June 5, 2001) (D.E. 2).

4. Order, *id.* (June 6, 2001), D.E. 3.

5. Docket Sheet, *supra* note 3 (D.E. 5).

6. Order, [Dowd](#), No. 1:01-cv-10944 (June 7, 2001), D.E. 6.

7. Docket Sheet, *supra* note 3 (D.E. 9).

8. *Id.* (D.E. 14).

9. [Dowd v. Dedham](#), 25 F. App'x 6 (1st Cir. 2002).