

Civil Action Number
2:18-cv-01348-AKK

Hiram Girard Rahim, proceeding *pro se*, filed this action seeking an opportunity to be on the ballot for governor of the State of Alabama as an independent candidate and asserting that his civil rights will be violated if he is denied the opportunity. Doc. 1. The court dismissed Rahim's case without prejudice because the court found that his claims lacked a basis in either law or fact. Doc. 3; *see also Neitzke v. Williams*, 490 U.S. 319, 325 (1989). The case is now before the court on Rahim's response to the court's order, in which Rahim asks the court to reconsider the dismissal and for a hearing. For the reasons explained below, Rahim's requests are denied.

A dismissal without prejudice is a legal term meaning that the dismissal does not prevent Rahim from refiling his claims against the defendants in the future.¹ *See Dismissal without Prejudice*, Legal Information Institute, Wex Legal Dictionary, http://www.law.cornell.edu/wex/dismissal_without_prejudice. In other words, in this case, if Rahim actually takes steps to be on the ballot for the governor's race in the future, i.e. by collecting the required amount of signatures, and the State of Alabama interferes with his ability to appear on the ballot, Rahim may refile his claims against the State. At this juncture, however, Rahim did not allege any violation of his federal constitutional rights. *See* doc. 1. Indeed, Rahim did not allege any facts to indicate that he filed, or attempted to file, a signature petition to appear on the ballot for governor of Alabama as an independent candidate, nor did he allege any facts to suggest that the State prevented him from doing so. *See id.* Therefore, as discussed in the court's prior order, Rahim's complaint against the State and its governor lacks an arguable basis in law and fact. As a result, the court **DENIES** Rahim's motion to reconsider, doc. 4.

DONE the 18th day of October, 2018.


ABDUL K. KALLON
UNITED STATES DISTRICT JUDGE

¹ In contrast, a dismissal with prejudice means a plaintiff is forever barred from pursuing that claim.