

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. SACV 17-1940 JVS (DFMx) Date November 16, 2017

Title In re Arenas

Present: The Honorable James V. Selna

Karla J. Tunis

Not Present

Deputy Clerk

Court Reporter

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

Proceedings: (IN CHAMBERS) Order To Show Cause re Lack of Jurisdiction

The Court has reviewed the Petition for Declaratory Relief filed by Cesar Arenas (“Arenas”) on November 2, 2017.

Under the Constitution, the Court is only permitted to adjudicate cases and controversies. (U.S. Constitution, Art. III, section 2.) Arenas has not named any party as a respondent or defendant. Because there is no one to contest the issues he presents, there is no controversy before the Court. As the Court in Flast v. Cohen, 392 U.S. 83, 94-95 (1968), observed:

Embodied in the words ‘cases’ and ‘controversies’ are two complementary but somewhat different limitations. In part those words limit the business of federal courts to questions presented in an adversary context and in a form historically viewed as capable of resolution through the judicial process.

(Emphasis supplied.) The Court may not give advisory opinions. Alabama v. Arizona, 291 U.S. 286, 291 (1934).

Arenas is ordered to show cause within fifteen days why the case should not be dismissed for lack of jurisdiction.

Initials of Preparer

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