

1 Lines, Inc., 819 F. 2d 935, 937 (9th Cir. 1987). Under either approach the plaintiff “must
2 demonstrate a significant threat of irreparable injury.” Id. Also, an injunction should not issue if the
3 plaintiff “shows no chance of success on the merits.” Id. At a bare minimum, the plaintiff “must
4 demonstrate a fair chance of success of the merits, or questions serious enough to require litigation.”
5 Id.

6 Federal courts are courts of limited jurisdiction, and as a preliminary matter, the court must
7 have before it an actual case or controversy. City of Los Angeles v. Lyons, 461 U.S. 95, 102, 103
8 S.Ct. 1660, 1665 (1983); Valley Forge Christian Coll. v. Ams. United for Separation of Church and
9 State, Inc., 454 U.S. 464, 471, 102 S.Ct. 752, 757-58 (1982); Jones v. City of Los Angeles, 444 F.3d
10 1118, 1126 (9th Cir. 2006). If the court does not have an actual case or controversy before it, it has
11 no power to hear the matter in question. Id. “A federal court may issue an injunction *if* it has
12 personal jurisdiction over the parties and subject matter jurisdiction over the claim; it may *not*
13 attempt to determine the rights of persons not before the court.” Zepeda v. United States
14 Immigration Service, 753 F.2d 719, 727 (9th Cir. 1985) (emphasis added).

15 In this instance, the events at issue in this action arose while plaintiff was incarcerated at the
16 California State Prison - Corcoran. (Docs.4, 5). Plaintiff is currently housed at Salinas Valley State
17 Prison and the order sought is aimed at remedying his current conditions of confinement at that
18 prison. The court does not jurisdiction in this action to issue the orders sought, as the case or
19 controversy requirement cannot be met in light of the fact that the issues plaintiff seeks to remedy
20 in his motions bear no relation to the past events at Corcoran State Prison giving rise to this suit.

21 Therefore, plaintiff’s motions for preliminary injunctive relief, filed December 29, 2008, is
22 HEREBY DENIED.

23
24 IT IS SO ORDERED.

25 **Dated: January 13, 2009**

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE