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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

LONZELL GREEN,

Plaintiff,

CV F 07 1130 OWW WMW P

vs.

**ORDER DISMISSING ACTION
AND DIRECTING CLERK'S OFFICE
TO SEND PLAINTIFF A
CIVIL RIGHTS COMPLAINT FORM**

A. HEDGPETH, et al.,

Defendants.

Plaintiff is a state prisoner proceeding pro se in this action. On August 2, 2007, Plaintiff initiated this action by the filing of a document that appears to be a civil complaint. The letter sets forth allegations of criminal conduct by certain officials employed by the California Department of Corrections and Rehabilitation. Plaintiff requests that a criminal investigation be conducted and that federal criminal charges be filed.

Plaintiff may not file a criminal complaint against Defendant prison officials. Ivey v. National Treasury Employees Union, No. 05-1147 (EGS), 2007 WL 915229, 5 (D.D.C Mar. 27, 2007). Plaintiff does not have a private right of action to sue Defendants civilly for violating criminal code sections. Allen v. Gold Country Casino, 464 F.3d 1044, 1048 (9th Cir. 2006)(citing Aldabe v. Aldabe, 616 F.2d 1089, 1092 (9th Cir. 1980)). This

1 **action must therefore be dismissed.**

2 **The Court will provide Plaintiff with a civil rights complaint form. If**
3 **Plaintiff wishes to file a civil suit against prison officials for conditions of confinement that**
4 **violate his federal or constitutional rights, he may seek redress under 42 U.S.C. § 1983 by**
5 **completing and submitting a civil rights complaint form. However, Plaintiff may not**
6 **proceed with his request for a criminal investigation filed on August 2, 2007.**

7 **Accordingly, IT IS HEREBY ORDERED that:**

- 8 **1. This action is dismissed.**
9 **2. The Clerk's Office shall send to Plaintiff a civil rights complaint form.**

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13 **IT IS SO ORDERED.**

14 **Dated: August 14, 2007**

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE