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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

RICKY W. JAMES,

Plaintiff,

v.

J. WILBER, et al.,

Defendants.

CASE NO. 1:08-cv-00351-LJO-DLB PC

ORDER DISREGARDING MOTION

(Doc. 21)

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Plaintiff Ricky W. James (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding against defendants Wilber, Siene and Johnson for deliberate indifference to a serious medical need, in violation of the Eighth Amendment. (Doc. 22).

On February 25, 2009, Plaintiff filed a motion entitled, “Motion: Recommending Defendants Actions of Harassment and Malicious be Noted and Placed on Record”. (Doc. 21). In his motion, Plaintiff complains that he was transferred to a different facility immediately after filing this suit. Plaintiff further complains of harassment by prison staff at his current facility.

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1 Federal courts are courts of limited jurisdiction, and as a preliminary matter, the court must
2 have before it an actual case or controversy. City of Los Angeles v. Lyons, 461 U.S. 95, 102, 103
3 S.Ct. 1660, 1665 (1983); Valley Forge Christian Coll. v. Ams. United for Separation of Church and
4 State, Inc., 454 U.S. 464, 471, 102 S.Ct. 752, 757-58 (1982); Jones v. City of Los Angeles, 444 F.3d
5 1118, 1126 (9th Cir. 2006). If the court does not have an actual case or controversy before it, it has
6 no power to hear the matter in question. Id.

7 In this instance, the events at issue in this action arose while plaintiff was incarcerated at the
8 California State Prison - Corcoran. (Doc. 1.) Plaintiff is currently housed at Pelican Bay State
9 Prison and the relief sought is aimed at remedying his current conditions of confinement at that
10 prison. Plaintiff also complains of conduct by individuals other than the defendants named in this
11 action. The court does not have jurisdiction in this action to issue the relief sought, as the case or
12 controversy requirement cannot be met in light of the fact that the issues plaintiff seeks to remedy
13 in his motions bear no relation to the past events at California State Prison - Corcoran giving rise to
14 this suit.

15 Accordingly, Plaintiff's motion, filed February 25, 2009, is HEREBY ORDERED
16 DISREGARDED.

17
18 IT IS SO ORDERED.

19 Dated: April 29, 2009

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE