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6 **UNITED STATES DISTRICT COURT**

7 EASTERN DISTRICT OF CALIFORNIA

8
9 ANGEL LOUIS VEGA,

CASE NO. 1:10-cv-01625-SMS PC

10 Plaintiff,

ORDER RE PLAINTIFF'S MOTION FOR
CLARIFICATION

11 v.

(ECF No. 9)

12 JHON CHOKATOS, et al.,

13 Defendants.

14 /

15 Plaintiff Angel Louis Vega (“Plaintiff”) is a state prisoner proceeding pro se and in forma
16 pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On July 12, 2011, Plaintiff filed a
17 motion requesting clarification of the order denying his motion for summary judgment as premature.
18 (ECF No. 9.)

19 Federal courts are courts of limited jurisdiction, and as a preliminary matter, the court must
20 have before it an actual case or controversy. City of Los Angeles v. Lyons, 461 U.S. 95, 102, 103
21 S.Ct. 1660, 1665 (1983); Valley Forge Christian Coll. v. Ams. United for Separation of Church and
22 State, Inc., 454 U.S. 464, 471, 102 S. Ct. 752, 757-58 (1982); Jones v. City of Los Angeles, 444 F.3d
23 1118, 1126 (9th Cir. 2006). If the court does not have an actual case or controversy before it, it has
24 no power to hear the matter in question. Id.

25 At this point in time, there is no case or controversy before the court, and the court has no
26 jurisdiction to grant summary judgment. The court has not screened the complaint, and defendants
27 have not been served. Until and unless the court finds that plaintiff has stated cognizable claims for
28 relief under section 1983 and the defendants against whom the claims are stated have been served

1 and made an appearance in this action, the court will not have jurisdiction to issue any orders
2 awarding the relief plaintiff seeks.

3 IT IS SO ORDERED.

4 **Dated: July 22, 2011**

5 /s/ **Sandra M. Snyder**
6 UNITED STATES MAGISTRATE JUDGE
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