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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

MONTE L. HANEY

CASE NO. 1:10-cv-02134-LJO-BAM PC

Plaintiff,

ORDER DENYING PLAINTIFF’S MOTION FOR COURT ORDER

v.

(ECF No. 49)

M. P. HERNANDEZ, et al.,

Defendants.

Plaintiff Monte L. Haney is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On November 6, 2012, an order adopting the findings and recommendations issued and this action was dismissed and judgment. (ECF No. 47, 48.) On November 8, 2012, Plaintiff filed a motion for a court order. (ECF No. 49.)

Federal courts are courts of limited jurisdiction and in considering a request for injunctive relief, the Court is bound by the requirement that as a preliminary matter, it have before it an actual case or controversy. City of Los Angeles v. Lyons, 461 U.S. 95, 102, 103 S.Ct. 1660, 1665 (1983); Valley Forge Christian Coll. v. Ams. United for Separation of Church and State, Inc., 454 U.S. 464, 471, 102 S.Ct. 752, 757-58 (1982). If the Court does not have an actual case or controversy before it, it has no power to hear the matter in question. Id. “[The] triad of injury in fact, causation, and redressability constitutes the core of Article III’s case-or-controversy requirement, and the party invoking federal jurisdiction bears the burden of establishing its existence.” Steel Co. v. Citizens for a Better Env’t, 523 U.S. 83, 103-04, 118 S.Ct. 1003 (1998).

Since this action has been dismissed there is no case or controversy before the Court upon

1 which relief can be granted. Accordingly Plaintiff's motion for a temporary restraining order, filed  
2 November 8, 2012, is HEREBY DENIED.

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4 IT IS SO ORDERED.

5 **Dated: November 14, 2012**

**/s/ Lawrence J. O'Neill**  
UNITED STATES DISTRICT JUDGE

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