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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

CURLEY JOHN BROUSSARD, JR.,

CASE NO. 1:11-cv-01276-BAM PC

Plaintiff,

ORDER DENYING PLAINTIFF'S MOTION FOR AN ORDER TO SHOW CAUSE

v.

(ECF No. 33)

LISA A. MUNOZ, et al.,

Defendants.

Plaintiff Curley John Broussard, Jr., is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On October 9, 2012, Plaintiff's first amended complaint was screened and this action was dismissed, without prejudice. (ECF No. 23.) On October 18, 2012, Plaintiff filed a motion for an order to show cause. (ECF No. 33.)

Federal courts are courts of limited jurisdiction and 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 (1983); Valley Forge Christian Coll. v. Ams. United for Separation of Church and State, Inc., 454 U.S. 464, 471 (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 case or controversy requirement cannot be met in light of the fact that this action has been dismissed and closed. As Plaintiff was previously informed, because this case has been dismissed and closed, the case-or-controversy requirement is not met such that this action provides no basis upon which to award Plaintiff relief.

Plaintiff is advised that there is no longer a case or controversy pending before this Court and

1 Plaintiff is not entitled to seek any further relief from the Court in this action. See e.g., Davis v.
2 Federal Election Com'n, 544 U.S. 724, 732-33, 128 S. Ct. 2759, 2768 (2008). Any further motions
3 seeking injunctive relief will be stricken from the record.

4 Accordingly, Plaintiff's motion for an order to show cause, filed October 18, 2012, is
5 HEREBY DENIED.

6 IT IS SO ORDERED.

7 **Dated: October 22, 2012**

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE

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