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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 KRZYSZTOF WOLINSKI,

12 Plaintiff,

13 vs.

14 N. ACOSTA, et al.,

15 Defendants.
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1:15-cv-00519-LJO-GSA-PC

ORDER DENYING MOTION FOR ORDER
DIRECTING PRISON TO PROVIDE
PLAINTIFF WITH WRITING SUPPLIES
(Doc. 6.)

20 **I. BACKGROUND**

21 Krzysztof Wolinski ("Plaintiff") is a state prisoner proceeding pro se in this civil rights
22 action pursuant to 42 U.S.C. § 1983. Plaintiff filed the Complaint commencing this action on
23 April 3, 2015. (Doc. 1.) On June 15, 2015, Plaintiff filed a motion for the court to direct prison
24 officials to provide him with writing supplies. (Doc. 6.)

25 **II. FEDERAL COURT JURISDICTION**

26 Federal courts are courts of limited jurisdiction, and as a preliminary matter, the court
27 must have before it an actual case or controversy. City of Los Angeles v. Lyons, 461 U.S. 95,
28 102, 103 S.Ct. 1660, 1665 (1983); Valley Forge Christian Coll. v. Ams. United for Separation

1 of Church and State, Inc., 454 U.S. 464, 471, 102 S.Ct. 752, 757-58 (1982); Jones v. City of
2 Los Angeles, 444 F.3d 1118, 1126 (9th Cir. 2006). If the court does not have an actual case or
3 controversy before it, it has no power to hear the matter in question. Id. Thus, “[a] federal
4 court may issue an injunction [only] if it has personal jurisdiction over the parties and subject
5 matter jurisdiction over the claim; it may not attempt to determine the rights of persons not
6 before the court.” Zepeda v. United States Immigration Service, 753 F.2d 719, 727 (9th Cir.
7 1985).

8 Discussion

9 Plaintiff is presently incarcerated at Salinas Valley State Prison (SVSP) in Soledad,
10 California. Plaintiff seeks a court order requiring prison officials at SVSP to provide him with
11 writing supplies. This case was filed against correctional officers at Corcoran State Prison, for
12 confiscating Plaintiff’s prescription glasses. Therefore, the order Plaintiff seeks would require
13 present actions by persons who are not defendants in this action and would not remedy any of
14 the claims upon which this action proceeds. Accordingly, the court lacks jurisdiction to issue
15 the order sought by Plaintiff, and Plaintiff’s motion must be denied.

16 **III. CONCLUSION**

17 Based on the foregoing, **IT IS HEREBY ORDERED** that Plaintiff’s motion for a court
18 order directing prison officials at SVSP to provide him with writing supplies, filed on June 15,
19 2015, is **DENIED** for lack of jurisdiction.

20 IT IS SO ORDERED.

21 Dated: July 31, 2015

22 /s/ Gary S. Austin
23 UNITED STATES MAGISTRATE JUDGE