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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

MONICO J. QUIROGA,)	Case No. 1:16-cv-00071-SAB (PC)
Plaintiff,)	
v.)	ORDER DENYING PLAINTIFF’S MOTION TO
C. CHAPA,)	INVOKE JURISDICTION UNDER 28 U.S.C. §
Defendant.)	2361
)	[ECF No. 34]
)	
)	
)	

Plaintiff is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. Pursuant to 28 U.S.C. § 636(c), Plaintiff consented to the jurisdiction of the United States Magistrate Judge on February 16, 2016. Local Rule 302.

Currently before the Court is Plaintiff’s motion to invoke jurisdiction under 28 U.S.C. § 2361, filed March 8, 2017.

Title 28, United States Code, Section 2361 addresses service of process in section 1335 actions and provides in pertinent part:

In any civil action of interpleader or in the nature of interpleader under section 1335 of this title, a district court may issue its process for all claimants and enter its order restraining them from instituting or prosecuting any proceeding in any State or United States court affecting the property, instrument or obligation involved in the interpleader action until further order of the court....

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Such district court shall hear and determine the case, and may discharge the plaintiff from further liability, make the injunction permanent, and make all appropriate orders to enforce its judgment.

28 U.S.C. § 2361.

Plaintiff has brought this action under 42 U.S.C. § 1983, invoking the Court's federal question jurisdiction and 28 U.S.C. § 2361 is inapplicable. Therefore, Plaintiff's motion to invoke jurisdiction under 28 U.S.C. § 2361 is denied.

IT IS SO ORDERED.

Dated: March 10, 2017


UNITED STATES MAGISTRATE JUDGE