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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RAVI KUMAR SINGH,
Plaintiff,
v.
CALIFORNIA SUBSTANCE ABUSE
TREATMENT FACILITY,
Defendant.

Case No. 1:21-cv-00139-NONE-EPG (PC)
FINDINGS AND RECOMMENDATIONS,
RECOMMENDING THAT THIS ACTION
BE DISMISSED FOR LACK OF
JURISDICTION
OBJECTIONS, IF ANY, DUE WITHIN
FOURTEEN DAYS

Ravi Singh (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* in this action. Plaintiff filed the complaint commencing this action on February 3, 2021. (ECF No. 1).

The Court screened Plaintiff’s complaint, and dismissed it for several reasons. First, the harm alleged in Plaintiff’s complaint does not relate to Plaintiff, so Plaintiff lacks standing to bring the action. (ECF No. 11, pgs. 3-4; ECF No. 14). Second, it appears that Plaintiff only asserts state law claims, and the Court lacks jurisdiction over those claims. (ECF No. 11, p. 4; ECF No. 14). Finally, even had Plaintiff brought a federal claim, the only named defendant is entitled to Eleventh Amendment immunity in federal court. (ECF No. 11, pgs. 4-5; ECF No. 14).

Plaintiff was given an opportunity to amend his complaint to cure the defects identified by the Court. (ECF No. 14, p. 3). However, the deadline for Plaintiff to file an amended

1 complaint has passed and Plaintiff did not file an amended complaint.

2 As Plaintiff failed to cure the defects identified by the Court, for the reasons described
3 in the Court's screening order (ECF No. 11, pgs. 3-4; ECF No. 14), the Court does not have
4 jurisdiction over this action. Accordingly, it is HEREBY RECOMMENDED that:

- 5 1. This action be dismissed for lack of jurisdiction; and
- 6 2. The Clerk of Court be directed to close the case.

7 These findings and recommendations will be submitted to the United States district
8 judge assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(1). Within
9 fourteen (14) days after being served with these findings and recommendations, Plaintiff may
10 file written objections with the Court. The document should be captioned "Objections to
11 Magistrate Judge's Findings and Recommendations." Plaintiff is advised that failure to file
12 objections within the specified time may result in the waiver of rights on appeal. Wilkerson v.
13 Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014) (citing Baxter v. Sullivan, 923 F.2d 1391, 1394
14 (9th Cir. 1991)).

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16 IT IS SO ORDERED.

17 Dated: July 28, 2021

18 /s/ Eric P. Gray
19 UNITED STATES MAGISTRATE JUDGE
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