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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

MICHAEL CEVALLOS,
Plaintiff,

No. CIV S-07-1109-LKK-CMK

vs.

ORDER

UNKNOWN,
Defendant.

_____ /

Plaintiff, who is proceeding pro se, brings this civil action as a “special privileged person attempting to exercise his right to procedural due process.” Pending before the court is plaintiff’s complaint (Doc. 2).

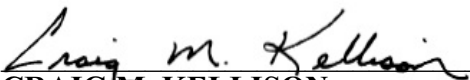
Plaintiff complaint is defective in that it does not name any defendants. In addition, the court cannot discern any cognizable federal claims. It does appear, however, that plaintiff is challenging proceedings from the Glenn County Superior Court. It also appears that the challenged proceedings are criminal in nature. To the extent plaintiff seeks intervention in ongoing state court criminal proceedings, this court would be unable to grant relief based on the doctrine of abstention. Because the court cannot make out plaintiff’s claims with any certainty, the court will grant plaintiff an opportunity to amend the complaint in order to more clearly state

1 his allegations and to name those individuals or entities he asserts have violated his federal or
2 constitutional rights. Plaintiff is cautioned that failure to file an amended complaint within the
3 time provided by this order may result in dismissal of the entire action. See Local Rule 11-110.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. Plaintiff's complaint is dismissed with leave to amend; and
- 6 2. Plaintiff shall file a first amended complaint within 30 days of the date of
7 this order.

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9 DATED: June 14, 2007.

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12 **CRAIG M. KELLISON**
13 UNITED STATES MAGISTRATE JUDGE
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