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

JONATHAN LEE RICHES,

Plaintiff,

No. CIV S-07-2713 GEB DAD P

vs.

DANIEL DAY-LEWIS,

Defendant.

FINDINGS AND RECOMMENDATIONS

\_\_\_\_\_/

Plaintiff, a federal prisoner in South Carolina, has named Daniel Day-Lewis, an actor in the movie “Gangs of New York,” as the defendant in this action. Plaintiff alleges that he saw the movie in Philadelphia, Pennsylvania, that the movie caused him “emotional trauma,” and that now he has the “warriors, and subway bullies after me on defendant’s orders.” (Compl. at 1.) Plaintiff also contends that defendant has cancelled his magazine subscription, served him non-Kosher meals, and acquired plaintiff’s website. Plaintiff seeks twenty million dollars in damages.

Plaintiff fails to show that this is an appropriate venue for this action, see 28 U.S.C. § 1391 et. seq., or that his claim is cognizable, 28 U.S.C. § 1330 et. seq. The court finds that plaintiff’s complaint is frivolous and will recommend that it be dismissed. See 28 U.S.C. § 1915A(b)(1),(2).

1 Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed.

2 These findings and recommendations are submitted to the United States District  
3 Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty  
4 days after being served with these findings and recommendations, plaintiff may file written  
5 objections with the court. The document should be captioned "Objections to Magistrate Judge's  
6 Findings and Recommendations." Plaintiff is advised that failure to file objections within the  
7 specified time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951  
8 F.2d 1153 (9th Cir. 1991).

9 DATED: December 20, 2007.

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13 DALE A. DROZD  
14 UNITED STATES MAGISTRATE JUDGE

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