

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

PATRICK BOCKARI,

Plaintiff,

VS.

No. 2:12-cv-3043 GEB CKD PS

CALIFORNIA VICTIM COMPENSATION  
& GOVERNMENT CLAIMS BOARD,

## ORDER AND

Defendant.

**ORDER TO SHOW CAUSE**

Plaintiff has not paid the fee ordinarily required to file an action in this court, and has filed an incomplete application to proceed without prepayment of fees. See 28 U.S.C. §§ 1914(a), 1915(a). Plaintiff states he receives disability or worker's compensation payments, but does not state the amounts. Plaintiff also has not indicated whether he has other sources of income, such as gifts or inheritances or any other sources. Plaintiff will be provided the opportunity to submit either the appropriate and completed affidavit in support of a request to proceed in forma pauperis or the appropriate filing fee.

In the complaint, plaintiff complains about the actions of a state agency and the manner in which it has calculated payments to plaintiff, who is allegedly the victim of a violent crime. The complaint, however, does not allege a basis for subject matter jurisdiction in this court. The federal courts are courts of limited jurisdiction. In the absence of a basis for federal

1 jurisdiction, plaintiff's claims cannot proceed in this venue. Because there is no basis for federal  
2 subject matter jurisdiction evident in the complaint, plaintiff will be ordered to show cause why  
3 this action should not be dismissed. Failure to allege a proper basis for subject matter jurisdiction  
4 will result in a recommendation that the action be dismissed.

5 In accordance with the above, IT IS HEREBY ORDERED that:

6 1. Plaintiff shall submit, within twenty days from the date of this order, either a  
7 completed application and affidavit in support of his request to proceed in forma pauperis on the  
8 form provided by the Clerk of Court, or the appropriate filing fee; plaintiff's failure to comply  
9 with this order will result in a recommendation that this action be dismissed.

10 2. The Clerk of the Court is directed to send plaintiff a new Application to Proceed  
11 In Forma Pauperis.

12 3. No later than January 25, 2013, plaintiff shall show cause why this action  
13 should not be dismissed for lack of subject matter jurisdiction.

14 Dated: December 20, 2012

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16 CAROLYN K. DELANEY  
17 UNITED STATES MAGISTRATE JUDGE

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