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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KHALID KHAN,
Plaintiff,
v.
U.S. BANK NATIONAL ASSOCIATION,
et al.,
Defendants.

No. 2:13-cv-2596 KJM CKD PS

ORDER

Plaintiff, proceeding pro se, has filed a motion for court approval of a lis pendens for the property which is the subject of the instant action. Under California Code of Civil Procedure section 405.21, court approval is a prerequisite to recording of a lis pendens signed by a person acting in propria persona.


This court has previously found that subject matter jurisdiction is lacking and has recommended that the action be dismissed. ECF No. 7. Since plaintiff's claims cannot be adjudicated in this court, defendants would be entitled to expungement of the notice of any lis pendens. See Cal. Code Civ. Proc. § 405.32. Under these circumstances, the court does not find a lis pendens is warranted.

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Accordingly, IT IS HEREBY ORDERED that plaintiff's motion for court approval of lis pendens (ECF No. 12) is denied.

Dated: March 19, 2014



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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