

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LIUDMYLA IEGOROVA,
Plaintiff,
v.
FAIRWOOD APARTMENT,
Defendant.

No. 2:15-cv-1651 MCE CKD PS

ORDER AND
ORDER TO SHOW CAUSE

Plaintiff is proceeding in this action pro se. Plaintiff has requested authority pursuant to 28 U.S.C. § 1915 to proceed in forma pauperis. This proceeding was referred to this court by Local Rule 302(c)(21).

Plaintiff has submitted the affidavit required by § 1915(a) showing that plaintiff is unable to prepay fees and costs or give security for them. Accordingly, the request to proceed in forma pauperis will be granted. 28 U.S.C. § 1915(a).

The federal in forma pauperis statute authorizes federal courts to dismiss a case if the action is legally “frivolous or malicious,” fails to state a claim upon which relief may be granted, or seeks monetary relief from a defendant who is immune from such relief. 28 U.S.C. § 1915(e)(2). The complaint 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 jurisdiction, plaintiff’s claims cannot proceed in this venue. Because there is no basis for federal

1 subject matter jurisdiction evident in the complaint, plaintiff will be ordered to show cause why
2 this action should not be dismissed. Failure to allege a proper basis for subject matter jurisdiction
3 will result in a recommendation that the action be dismissed.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. Plaintiff's request to proceed in forma pauperis (ECF No. 2) is granted; and
- 6 2. No later than September 1, 2015, plaintiff shall show cause why this action should not
7 be dismissed for lack of subject matter jurisdiction.

8 Dated: August 19, 2015



9 CAROLYN K. DELANEY
10 UNITED STATES MAGISTRATE JUDGE

11
12 4 iegorova1651.ifp.nosmj.osc
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28