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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAUL GONZALEZ,
Plaintiff,
v.
JUAN DOMINGUEZ,
Defendant.

No. 2:15-cv-1815 JAM CKD PS

FINDINGS AND RECOMMENDATIONS

Plaintiff is proceeding in this action pro se and in forma pauperis. In this action, plaintiff alleges claims for malpractice against his former workers compensation attorney. The complaint fails to set forth a basis for subject matter jurisdiction.

By order filed September 2, 2015, plaintiff was ordered to show cause why this action should not be dismissed for lack of subject matter jurisdiction. Plaintiff has responded to the order to show cause. However, plaintiff's response fails to set forth a proper basis for subject matter jurisdiction and makes readily apparent that plaintiff alleges only state law claims. There being no evident basis for subject matter jurisdiction, the court will recommend that this action be dismissed.

Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed for lack of subject matter jurisdiction.

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1 These findings and recommendations are submitted to the United States District Judge
2 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
3 after being served with these findings and recommendations, any party may file written
4 objections with the court and serve a copy on all parties. Such a document should be captioned
5 “Objections to Magistrate Judge’s Findings and Recommendations.” Failure to file objections
6 within the specified time may waive the right to appeal the District Court’s order. Martinez v.
7 Ylst, 951 F.2d 1153 (9th Cir. 1991).

8 Dated: September 14, 2015



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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