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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RACHELLE COLLINS,
Plaintiff,
v.
MERCY GENERAL HOSPITAL, et al.,
Defendants.

No. 2:16-cv-2725 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).

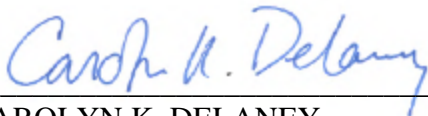
In the complaint, plaintiff complains about alleged wrongful conduct undertaken by defendants in a state court action, which action appears to have been one for medical malpractice. The complaint, however, does not allege a basis for subject matter jurisdiction in this court other than citing “federal question” jurisdiction, without setting a proper basis therefor. 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 subject

1 matter jurisdiction evident in the complaint, and diversity jurisdiction is lacking, plaintiff will be
2 ordered to show cause why this action should not be dismissed. Failure to allege a proper basis
3 for subject matter jurisdiction 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;
- 6 2. No later than December 14, 2016, plaintiff shall show cause why this action should
7 not be dismissed for lack of subject matter jurisdiction.

8 Dated: December 1, 2016

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10 _____
11 CAROLYN K. DELANEY
12 UNITED STATES MAGISTRATE JUDGE

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