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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL DEAN,
Plaintiff,
v.
STEVE COMBS, et al.,
Defendants.

No. 2:16-cv-2776 TLN 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).

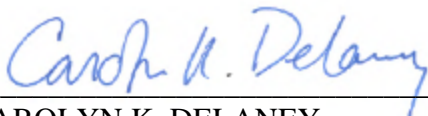
In the complaint, plaintiff complains about what appears to be a breach of contract dispute involving landscaping services. The complaint, however, does not allege a basis for subject matter jurisdiction in this court other than citing “federal question” jurisdiction, without setting a proper basis therefor. The complaint only cites “\$2,000,000” as the basis for federal question jurisdiction. 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

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

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. Plaintiff's request to proceed in forma pauperis (ECF No. 2) is granted;
- 7 2. No later than December 14, 2016, plaintiff shall show cause why this action should
8 not be dismissed for lack of subject matter jurisdiction.

9 Dated: December 1, 2016



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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