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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

FINDINGS AND RECOMMENDATIONS

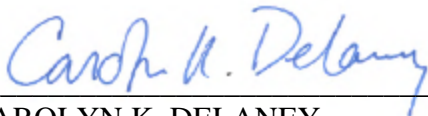
In this action, plaintiff, proceeding pro se, complains about what appears to be a breach of contract dispute involving landscaping services. The complaint, however, does not allege a basis for subject matter jurisdiction in this court other than citing “federal question” jurisdiction, without setting a proper basis therefor. The complaint only cites “\$2,000,000” as the basis for federal question jurisdiction. Plaintiff was accordingly ordered to show cause why this action should not be dismissed for lack of subject matter jurisdiction.

Plaintiff has filed a response to the order to show cause. However, the response does not set forth a proper basis for subject matter jurisdiction. There appears to be no federal question subject matter jurisdiction. Diversity jurisdiction is also lacking because the parties are not diverse.

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

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: December 9, 2016



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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