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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CALYSTA SHARP,
Plaintiff,
v.
KAISER PERMANENTE MEDICAL
GROUP, et al.,
Defendants.

No. 2:17-0252 TLN CKD PS

FINDINGS AND RECOMMENDATIONS

In this action, plaintiff, proceeding pro se and in forma pauperis, alleges diversity and federal question as bases for subject matter jurisdiction in this court. However, plaintiff cites a non-existent statute as the basis of federal question jurisdiction and the complaint does not set forth the amount in controversy for assessing the propriety of diversity jurisdiction. Plaintiff was accordingly ordered to show cause why this action should not be dismissed for lack of subject matter jurisdiction.

Plaintiff has not filed a response to the order to show cause. There appears to be no federal question subject matter jurisdiction. It also appears that diversity jurisdiction is also lacking because the parties do not appear to be diverse and no amount in controversy is evident in the complaint.

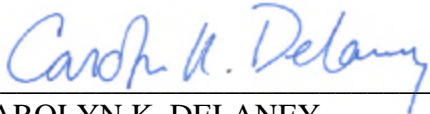
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Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed for lack of subject matter jurisdiction.

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

Dated: March 2, 2017



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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