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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

CALYSTA SHARP, et al.,  
Plaintiffs,  
v.  
CHAS HOWARD, et al.,  
Defendants.

No. 2:17-0254 TLN CKD PS

FINDINGS AND RECOMMENDATIONS

In this action, plaintiffs, proceeding pro se, allege diversity and federal question as bases for subject matter jurisdiction in this court. However, plaintiffs cite no federal statute or constitutional provision which can serve 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. Plaintiffs were accordingly ordered to show cause why this action should not be dismissed for lack of subject matter jurisdiction.

Plaintiffs have 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 lacking because no amount in controversy is evident in the complaint.

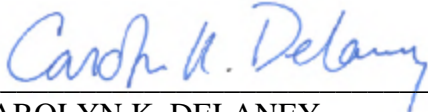
Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed for lack of subject matter jurisdiction.

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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 7, 2017

  
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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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