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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ARTHUR B. JAMIE, JR.,
Plaintiff,
v.
AMERICAN RIVER COLLEGE,
Defendant.

No. 2:17-cv-01352 JAM CKD (PS)

ORDER

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).

The federal in forma pauperis statute authorizes federal courts to dismiss a case if the action is legally “frivolous or malicious,” fails to state a claim upon which relief may be granted, or seeks monetary relief from a defendant who is immune from such relief. 28 U.S.C. § 1915(e)(2). Here, plaintiff asserts federal question jurisdiction based on his claim that defendant American River College has not processed his student loan money. However, this is not a valid basis for federal subject matter jurisdiction, and there is no evident basis for diversity

1 jurisdiction. The federal courts are courts of limited jurisdiction. In the absence of a basis for
2 federal jurisdiction, plaintiff's claims cannot proceed in this venue. Because there is no basis for
3 federal subject matter jurisdiction evident in the complaint, plaintiff will be ordered to show cause
4 why this action should not be dismissed. Failure to allege a proper basis for subject matter
5 jurisdiction will result in a recommendation that the action be dismissed.

6 Accordingly, IT IS HEREBY ORDERED that:

- 7 1. Plaintiff's request to proceed in forma pauperis (ECF No. 2) is granted; and
- 8 2. No later than July 21, 2017, plaintiff shall show cause why this action should not be
9 dismissed for lack of subject matter jurisdiction.

10 Dated: July 7, 2017



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

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