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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RONNIE McDANIEL,
Plaintiff,
v.
DARRYL HINCH, et al.,
Defendants.

No. 2:17-cv-02448 KJM 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’s brief and conclusory allegations do not state a federal claim against any defendant. Plaintiff has not alleged a causal connection between defendants’ actions and any


1 constitutional or federal violation. Although the court may exercise supplemental jurisdiction
2 over state law claims, plaintiff must first have a cognizable claim for relief under federal law. See
3 28 U.S.C. § 1367.

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

9 Accordingly, IT IS HEREBY ORDERED that:

- 10 1. Plaintiff's request to proceed in forma pauperis (ECF No. 2) is granted;
- 11 2. No later than December 12, 2017, plaintiff shall show cause why this action should not
12 be dismissed for lack of subject matter jurisdiction.

13 Dated: November 29, 2017

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15 _____
16 CAROLYN K. DELANEY
17 UNITED STATES MAGISTRATE JUDGE

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