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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHARLES LEWIS BOBO,
Plaintiff,
v.
AT&T, et al.,
Defendants.

No. 2:19-cv-00762 TLN 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. The federal courts are courts of limited jurisdiction. In the absence of a basis for

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

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. Plaintiff's request to proceed in forma pauperis (ECF No. 2) is granted;
- 7 2. No later than fourteen (14) days from the date of this order, plaintiff shall show cause
8 why this action should not be dismissed for lack of subject matter jurisdiction. Failure to do so
9 will result in a recommendation that this action be dismissed.

10 Dated: May 16, 2019



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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