

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ELIJAH DOMINGUEZ,

No. 17-cv-2648 CRB

Plaintiff,

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

v.

MANJIT SAPPAL et al.,

Defendants.

The Court has reviewed Magistrate Judge Kim’s Report and Recommendation (dkt. 19), and notes that more than fourteen days have passed and no opposition has been filed. The Court finds the Report correct, well-reasoned, and thorough, and ADOPTS it in every respect. Accordingly, Defendants’ motion to dismiss is GRANTED, and the complaint is DISMISSED WITH LEAVE TO AMEND. Any amended complaint must be filed within 30 days from the entry of this order.

Although the Court lacks diversity jurisdiction over this case, it would have federal question jurisdiction if Plaintiff means to bring claims for constitutional violations under 42 U.S.C. § 1983. See 28 U.S.C. § 1331. But to survive a motion to dismiss for failure to state a claim, Plaintiff must include in his amended complaint all of the facts of those alleged violations. See Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007) (a plaintiff must

1 allege “enough facts to state a claim to relief that is plausible on its face”). In short, he needs
2 to explain what happened to him in more detail. The Court reminds Plaintiff that he may
3 attach additional pages to the complaint form if needed.

4 The Court also directs Plaintiff’s attention to the Handbook for Pro Se Litigants,
5 which is available on the Court’s website located at <http://cand.uscourts.gov/proselitigants> or
6 in hard copy free of charge from the Clerk’s Office. Plaintiff may also call the Legal Help
7 Center at (415) 782-8982. Plaintiff may sign up for an appointment at the Legal Help Center
8 at the San Francisco Courthouse, 450 Golden Gate Avenue, 15th Floor, Room 2796 or at the
9 Oakland Courthouse, 1301 Clay Street, 4th Floor, Room 470S.

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IT IS SO ORDERED.

Dated: August 25, 2017



CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE