

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MANUEL ALVAREZ CABELLO
RAMIREZ,

Plaintiff,

v.

GOOGLE, INC.,

Defendant.

Case No. 17-cv-03266-MEJ

ORDER OF DISMISSAL

Manuel Alvarez Cabello Ramirez, a prisoner at the Federal Correctional Institution in Herlong, California, filed this pro se action against his former employer—Google, Inc.—alleging employment discrimination. A review of the complaint shows that Mr. Ramirez is attempting to bring this action on behalf of the United States under the enforcement provisions of the Civil Rights Act of 1964, which established the Equal Employment Opportunity Commission (“EEOC”), 42 U.S.C. § 2000e *et. seq.*

Mr. Ramirez’s claim cannot proceed at this time because the enforcement provisions require that the civil action be brought by EEOC itself. *Id.* § 2000e-5(f)(1). If Mr. Ramirez seeks to bring an employment discrimination claim under federal law, he first must exhaust the administrative process at the EEOC, as set forth in 29 C.F.R. Part 1614. Mr. Ramirez has made no allegation or shown that he has complied with this exhaustion requirement.

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Accordingly, this action is DISMISSED without prejudice to Mr. Ramirez filing an employment discrimination claim in state court, or filing a new federal action after he has exhausted his administrative remedies.

IT IS SO ORDERED.

Dated: September 7, 2017



MARIA-ELENA JAMES
United States Magistrate Judge