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UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CRAIG PEDEN,

Plaintiff,

v.

CATHOLIC CHARITIES,

Defendant.

Case No. C17-1610RSM

ORDER FOR AMENDED COMPLAINT

*Pro Se* Plaintiff Craig Peden filed his Complaint on October 30, 2017. Dkt. #3. At the same time, Plaintiff filed an Emergency Motion for Injunction, which the Court construed as a Motion for Temporary Restraining Order (“TRO”), and ultimately denied. Dkts. #4 and #5. Summonses have not yet been issued.

Plaintiff alleges in his Complaint that Catholic Charities agreed to pay his rent for October through the end of his lease in December 2017. Dkt. #3. He also appears to allege some type of retaliation and discrimination, although he has not alleged that he is a member of any protected class, nor has he provided the details of such allegations. *See id.* Plaintiff apparently received a Notice of Belief of Abandonment related to an apartment in Everett, which also notes that his lease will be terminated on October 31, 2017, unless he informs the manager of his intent not to abandon his property, an address at which he can be served with certified mail, and his current

1 rent due. Dkt. #3, *Attachment*. The circumstances surrounding Plaintiff's allegations and request  
2 are not apparent from the Complaint or the motion itself.

3 As federal courts are courts of limited jurisdiction, a plaintiff bears the burden of  
4 establishing that his case is properly filed in federal court. *Kokkonen v. Guardian Life Ins. Co.*,  
5 511 U.S. 375, 377, 114 S. Ct. 1673, 1675, 128 L. Ed. 2d 391 (1994); *In re Ford Motor*  
6 *Co./Citibank (South Dakota), N.A.*, 264 F.3d 952, 957 (9th Cir. 2001). This burden, at the  
7 pleading stage, must be met by pleading sufficient allegations to show a proper basis for the  
8 federal court to assert subject matter jurisdiction over the action. *McNutt v. General Motors*  
9 *Acceptance Corp.*, 298 U.S. 178, 189, 56 S. Ct. 780, 785, 80 L. Ed. 1135 (1936). Further, the  
10 Court will dismiss a Complaint at any time if the action fails to state a claim, raises frivolous or  
11 malicious claims, or seeks monetary relief from a defendant who is immune from such relief.  
12 *See* 28 U.S.C. § 1915(e)(2)(B).

15 In this case, Mr. Peden fails to identify any basis for federal jurisdiction in his Complaint.  
16 He fails to explain how Defendant has violated any federal or other law. Indeed, it is not entirely  
17 clear what Plaintiff alleges in this Complaint, where he currently lives, and if he is actually being  
18 evicted. Accordingly, Plaintiffs' Complaint suffers from deficiencies that, if not corrected in an  
19 Amended Complaint, require dismissal.

21 Accordingly, the Court hereby ORDERS that Plaintiff shall file an Amended Complaint  
22 **no later than twenty-one (21) days from the date of this Order.** In the Amended Complaint,  
23 Plaintiff must include a short and plain statement demonstrating to the Court that there is a legal  
24 basis for his claims. Plaintiff shall identify what law or laws it believes Defendant has violated  
25 through its alleged conduct.  
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1 The Clerk shall send a copy of this Order to Mr. Peden at 1425 Broadway, #232, Seattle,  
2 WA 98122.

3 DATED this 31 day of October, 2017.  
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7 RICARDO S. MARTINEZ  
8 CHIEF UNITED STATES DISTRICT JUDGE  
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