

1 According to Rule 8,¹ a complaint must include the following: (1) a short plain statement
2 of the grounds for this Court’s jurisdiction; (2) a description of the claim establishing that the
3 plaintiff is entitled to relief sought; and (3) a description of the relief sought. *See* Fed. R. Civ. P.
4 8. At a minimum, Plaintiff’s complaint fails to establish this Court’s subject matter jurisdiction
5 and the basis for which Plaintiff seeks relief. *See* Fed. R. Civ. P. 8(a)(1), (2).

6 Diversity of citizenship jurisdiction exists where the amount at issue is more than
7 \$75,000 and no plaintiffs or defendants are citizens of the same state. *See* 28 U.S.C. § 1332.
8 Federal question jurisdiction exists when a plaintiff’s claim arises “under the Constitution, law,
9 or treaties of the United States.” *See id.* § 1331. The complaint establishes neither. It alleges that
10 Plaintiff and Defendants are Washington citizens. (*See* Dkt. No. 7 at 2–3.) As such, it fails to
11 plead diversity jurisdiction. And the conduct it alleges does not arise under federal law.² (*See id.*
12 at 10–15.) This lack of pleaded jurisdiction is a foundational issue, providing a basis for
13 immediate dismissal. *See Safe Air for Everyone v. Meyer*, 373 F.3d 1035, 1039 (9th Cir. 2004).

14 However, when dismissing a complaint under § 1915(e), the Court gives *pro se* plaintiffs
15 leave to amend unless “it is absolutely clear that the deficiencies of the complaint could not be
16 cured by amendment.” *Cato v. United States*, 70 F.3d 1103, 1106 (9th Cir. 1995). Here, it is
17 perhaps conceivable that Plaintiff could adequately plead violations of federal law, based on the
18 events described, and a more clear basis for the relief sought. For this reason, the Court finds that
19 leave to amend is warranted.

22 ¹ While the Court holds *pro se* plaintiffs to less stringent pleading standards and liberally
23 construes a *pro se* complaint in the light most favorable to the plaintiff, *Erickson v. Pardus*, 551
24 U.S. 89, 94 (2007), they remain bound by the rules of procedure. *See Ghazali v. Moran*, 46 F.3d
52, 54 (9th Cir. 1995).

25 ² In addition to asserting various common law and/or state law causes of action, the
26 complaint refers to a “HIPPA violation.” (Dkt. No. 7 at 7.) While HIPPA is, indeed, a federal
law, it provides no private right of action for its violation. *See, e.g., Johnson v. Quander*, 370 F.
Supp. 2d 79, 100 (D.D.C. 2005), *aff’d*, 440 F.3d 489 (D.C. Cir. 2006).

