



1 appeal . . . fails to state a claim upon which relief may be granted.”) In this case, the Court has  
2 screened Plaintiff’s complaint, and dismissed it for failure to state a claim, with leave to amend.  
3 (ECF No. 14.) Thus, there is no operative complaint that this action currently proceeds upon, no  
4 defendants have been served or appeared, and discovery has not been opened.

5 The Court further informs Plaintiff that to the extent he seeks to review health records  
6 about himself from the institution at which he is currently housed, an order from the Court should  
7 not be necessary. Certain documents, such as Plaintiff’s own health records, incident reports,  
8 Rules Violation Reports, and his central file, should be available for Plaintiff to review by making  
9 the necessary requests to prison officials and staff.

10 Accordingly, Plaintiff’s motion to compel discovery, dated August 22, 2016 (ECF No. 17)  
11 is HEREBY DENIED, without prejudice, as premature.

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13 IT IS SO ORDERED.

14 Dated: August 24, 2016

/s/ Lawrence J. O’Neill  
UNITED STATES CHIEF DISTRICT JUDGE

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