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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
10	TOR THE ENGIERIV	DISTRICT OF CALL OR WIT
11	CALVIN S. LYNN,	No. 2:14-cv-2601 WBS KJN P
12	Petitioner,	10. 2.11 CV 2001 WB5 R3101
13	v.	ORDER
14	SACRAMENTO COUNTY SUPERIOR	<u></u>
15	COURT,	
16	Respondents.	
17	Petitioner is a state prisoner, proceeding pro se. The matter was referred to a United	
18	States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.	
19	On July 22, 2015, the magistrate judge filed findings and recommendations herein which	
20	were served on petitioner and which contained notice to petitioner that any objections to the	
21	findings and recommendations were to be filed within fourteen days.	
22	Petitioner filed objections to the findings and recommendations. In his objections, it	
23	appears that petitioner seeks a court order directing the Sacramento County Superior Court to	
24	hear or grant petitioner's motion for DNA testing. However, "federal district courts are courts of	
25	original, not appellate jurisdiction." <u>In re Gruntz</u> , 202 F.3d 1074, 1078 (9th Cir. 2000). Thus,	
26	this court is without authority to order the Sacramento County Superior Court to hold a hearing or	
27	provide petitioner with a DNA test.	
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In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this court has conducted a de novo review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis. Accordingly, IT IS HEREBY ORDERED that: 1. The findings and recommendations filed July 22, 2015, are adopted in full; and 2. Petitioner's motion to reopen this case (ECF No. 8), construed as a motion for relief from judgment, is denied. Dated: August 25, 2015 m Va Shubt UNITED STATES DISTRICT JUDGE /lynn2601.804