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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

YASIR MEHMOOD,  
Plaintiff,  
v.  
TABASSUM SARANI,  
Defendant.

No. 2:17-cv-0970 KJM AC PS

ORDER

The court is in receipt of plaintiff’s notice of submission of documents. ECF No. 25. Plaintiff has, however, failed to submit a completed summons form as directed. Plaintiff is required to complete the summons form in order to effect service of his amended complaint. Accordingly, plaintiff’s motion for discovery, ECF No. 26, will be denied as premature. Until defendant is served, no action will be taken in the case. Plaintiff is further advised that discovery will not commence until a scheduling order has issued.

Plaintiff has also filed a motion for a temporary or permanent restraining order pursuant to Fed. R. Civ. Proc. 65(c). ECF No. 27. The court may not consider such a request unless and until the defendant has been served with the complaint and notified of the motion. See E.D. Cal. L. R. 231(a); Fed. R. Civ. Proc. 65(b). Accordingly, the motion for preliminary equitable relief will be vacated, without prejudice to renewal following service of the amended complaint.

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Accordingly, IT IS HEREBY ORDERED that:

1. The motion for a restraining order, ECF No. 27, is VACATED;
2. The motion for discovery, ECF No. 26, is DENIED as premature;
3. The Clerk of the Court is directed to reserve copies of the summons form, together with a copy of this order on plaintiff; and
4. Within 30 days from the date of this order, plaintiff shall complete and submit a completed summons form to this court.

IT IS SO ORDERED.

DATED: January 2, 2018

  
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ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE