

1 Both motions are premised on plaintiff's (apparently mistaken) belief that jail authorities threw
2 away or otherwise failed to mail out the service documents to the court.

3 **II. Analysis**

4 Plaintiff asks the court to issue an order requiring jail authorities to produce all of his legal
5 mail, send his mail out to the courts, and provide him with a copy of the mail log. ECF No. 16.
6 Although plaintiff's "Motion for Relief from Default" is not clear, the court assumes that plaintiff
7 wishes to be relieved from any sanction that may have resulted from a failure to comply with the
8 court's order that he submit service documents. ECF No. 17. As both motions are premised on
9 jail officials failing to mail plaintiff's service documents to the court – a fact which is belied by
10 the court's receipt of the service documents – they must be denied.

11 **III. Order and Recommendation**

12 Accordingly, it is ORDERED that the Clerk of Court randomly assign a district judge to
13 this action. It is further RECOMMENDED that plaintiff's motion for an injunction (ECF No. 16)
14 and motion for relief from default (ECF No. 17) be denied without prejudice.

15 These findings and recommendations are submitted to the United States District Judge
16 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
17 after being served with these findings and recommendations, any party may file written
18 objections with the court and serve a copy on all parties. Such a document should be captioned
19 "Objections to Magistrate Judge's Findings and Recommendations." Any response to the
20 objections shall be served and filed within fourteen days after service of the objections. The
21 parties are advised that failure to file objections within the specified time may waive the right to
22 appeal the District Court's order. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez*
23 *v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

24 Dated: August 29, 2024

25 
26 EDMUND F. BRENNAN
27 UNITED STATES MAGISTRATE JUDGE
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