NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

WILLIAM FRANCIS ROUSH,	No. 13-16390
Plaintiff - Appellant,	D.C. No. 2:11-cv-00286-SRB
v.	
C. HAYES, Correctional Officer,	MEMORANDUM*
Defendant - Appellee.	

Appeal from the United States District Court
for the District of Arizona
Susan R. Bolton, District Judge, Presiding

Submitted June 14, 2016**

Before: BEA, WATFORD, and FRIEDLAND, Circuit Judges.

Arizona state prisoner William Francis Roush appeals pro se from the

district court's judgment in his 42 U.S.C. § 1983 action alleging that defendant was

deliberately indifferent to Roush's safety in connection with an assault by another

inmate. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of

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*   This disposition is not appropriate for publication and is not precedent
except as provided by 9th Cir. R. 36-3.

**   The panel unanimously concludes this case is suitable for decision
without oral argument. *See* Fed. R. App. P. 34(a)(2).

discretion a dismissal as a discovery sanction. *Valley Eng'rs Inc. v. Elec. Eng'g Co.*, 158 F.3d 1051, 1057 (9th Cir. 1998). We affirm.

The district court did not abuse its discretion by dismissing Roush's action as a discovery sanction because Roush refused to comply with an order compelling him to provide defendant with a medical records release. *See id*. (setting forth factors to be considered before granting dismissal under Fed. R. Civ. P. 37(b)).

We reject as without merit Roush's contentions that the magistrate judge improperly warned Roush that he could be subject to discovery sanctions, and that the magistrate judge lacked jurisdiction to rule on preliminary matters and to recommend dismissal to the district judge.

We do not consider issues which are not supported by argument. *See Acosta-Huerta v. Estelle*, 7 F.3d 139, 144 (9th Cir. 1993).

Roush's requests, set forth in his opening brief, and all pending motions, are denied.

AFFIRMED.

13-16390