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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>WILLIAM HENRY PRICE,</p> <p style="text-align: center;">Plaintiff - Appellant,</p> <p style="text-align: center;">v.</p> <p>PAUL T. PERSONS; et. al.,</p> <p style="text-align: center;">Defendants - Appellees.</p>
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No. 07-16334

D.C. No. CV-05-02366-  
RRB/CMK

MEMORANDUM\*

Appeal from the United States District Court  
for the Eastern District of California  
Ralph R. Beistline, District Judge, Presiding

Submitted February 18, 2009\*\*

Before: BEEZER, FERNANDEZ and W. FLETCHER, Circuit Judges.

William Henry Price, a California state prisoner, appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action alleging that

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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 finds this case suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

prison officials impeded his access to the courts. We have jurisdiction pursuant to 28 U.S.C. § 1291. We review de novo, *Ramirez v. Galaza*, 334 F.3d 850, 853-54 (9th Cir. 2003), and we affirm.

The district court properly dismissed the action because Price's Third Amended Complaint failed to allege sufficient facts to show that Price suffered an actual injury as a result of the defendants' conduct. *See Lewis v. Casey*, 518 U.S. 343, 348 (1996) (explaining that "actual injury" is "actual prejudice with respect to contemplated or existing litigation, such as the inability to meet a filing deadline or to present a claim."); *see also Jones v. Cmty. ReDEV. Agency*, 733 F.2d 646, 649 (9th Cir. 1984) (explaining that a plaintiff must allege with at least some degree of particularity overt acts in which defendants engaged that support plaintiff's claim).

Price's remaining contentions are unpersuasive.

**AFFIRMED.**