

JUL 06 2009

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

EILEEN WILLIAMS, aka Erika Lewis,

Plaintiff - Appellant,

v.

ARNOLD SCHWARZENEGGER,
Governor of California; et al.,

Defendants - Appellees.

No. 07-56639

D.C. No. CV-07-02620-SVW

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Stephen V. Wilson, District Judge, Presiding

Submitted June 16, 2009**

Before: PAEZ, TALLMAN, and N.R. SMITH, Circuit Judges.

Eileen Williams appeals pro se from the district court's order dismissing her

* 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, and therefore denies appellant's request. *See Fed. R. App. P. 34(a)(2).*

42 U.S.C. § 1983 action for failure to comply with a prior court order. We have jurisdiction under 28 U.S.C. § 1291. We review for abuse of discretion, *Edwards v. Marin Park, Inc.*, 356 F.3d 1058, 1063 (9th Cir. 2004), and we affirm.

The district court did not abuse its discretion by dismissing Williams’ action for failure to follow a court order, where the court previously gave Williams leave to amend, provided a detailed explanation of the defects in the complaint, and warned Williams of the possibility of dismissal with prejudice, yet Williams did not submit an amended complaint, seek a continuance, or communicate that she did not intend to submit an amended complaint. *See id.* at 1065 (“The failure of the plaintiff eventually to respond to the court’s ultimatum – either by amending the complaint or by indicating to the court that it will not do so – is properly met with the sanction of a Rule 41(b) dismissal.”).

Williams’ remaining contentions are not persuasive.

AFFIRMED.