

JUL 21 2009

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>DONNA COLEMAN,</p> <p>Petitioner - Appellant,</p> <p>v.</p> <p>GWENDOLYN MITCHELL,</p> <p>Respondent - Appellee.</p>

No. 07-15888

D.C. No. CV-02-06282-JKS

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
James K. Singleton, Senior District Judge, Presiding

Submitted July 14, 2009**

Before: SCHROEDER, THOMAS, and WARDLAW, Circuit Judges.

California state prisoner Donna Coleman appeals from the district court's judgment denying her 28 U.S.C. § 2254 habeas petition. We have jurisdiction pursuant to 28 U.S.C. § 2253, and we affirm.

* 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).

Coleman contends that her right to due process was violated when her legs were shackled in front of the jury. Because Coleman procedurally defaulted the claim in her federal habeas petition, we do not reach the merits of her claim. *See Coleman v. Thompson*, 501 U.S. 722, 729 (1991); *see also Estelle v. McGuire*, 502 U.S. 62, 67-68 (1991).

AFFIRMED.