

DEC 14 2009

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

GARY WILLIAM HALLFORD,

Plaintiff - Appellant,

v.

CALIFORNIA CORRECTIONAL
PEACE OFFICERS ASSOCIATION,
Each Individual Member,

Defendant - Appellee.

No. 08-16322

D.C. No. 2:06-CV-01081-GEB-
GGH

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Garland E. Burrell, Jr., District Judge, Presiding

Submitted November 17, 2009**

Before: ALARCÓN, TROTT, and TASHIMA, Circuit Judges.

Gary William Hallford, a California state prisoner, appeals pro se from the

* 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).

district court's judgment dismissing his 42 U.S.C. § 1983 action for failure to comply with a court order. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion. *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260 (9th Cir. 1992). We affirm.

The district court did not abuse its discretion by dismissing Hallford's action for failure to comply with a court order where the district court described the inadequacies of Hallford's complaint, warned him that failure to file a second amended complaint would result in dismissal, and gave him ample time to amend. *See id.* at 1260-62; *Edwards v. Marin Park, Inc.*, 356 F.3d 1058, 1065 (9th Cir. 2004) ("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 [he] will not do so – is properly met with the sanction of a Rule 41(b) dismissal.").

Hallford's remaining contentions are unpersuasive.

Hallford's "Motion For Service Upon Particular Defendants" is denied.

AFFIRMED.