

DEC 14 2009

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

CHARLES JAMES CHATMAN,

Plaintiff - Appellant,

v.

COUNTY OF SAN MATEO, Political
Subdivision of the State of California; et
al.,

Defendants - Appellees.

No. 08-17076

D.C. No. 3:08-cv-00050-MMC

MEMORANDUM*

Appeal from the United States District Court
for the Northern District of California
Maxine M. Chesney, District Judge, Presiding

Submitted November 17, 2009**

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

Charles James Chatman, 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 pursuant to 28 U.S.C. § 1915A on statute of limitations grounds. We have jurisdiction under 28 U.S.C. § 1291. We review de novo, *Jones v. Blanas*, 393 F.3d 918, 926 (9th Cir. 2004), and we affirm.

The district court properly dismissed Chatman's claims because they are time-barred. *See id.* at 927 (explaining that the applicable statute of limitations for § 1983 claims is the forum state's statute of limitations for personal injury claims, and setting forth California's statute of limitations); *Johnson v. California*, 207 F.3d 650, 654 (9th Cir. 2000) (stating that, under California law, the limitations period is tolled for two years for prisoners serving less than a life sentence). Chatman's contention that the action is not time-barred because he submitted an amended complaint raising the same claims in a prior action is unpersuasive.

Chatman's requests for judicial notice are denied.

AFFIRMED.