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U.S. COURT OF APPEALS

NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

JOHN STEELMAN,

Plaintiff - Appellant,

v.

MATTHEW CATE; et al.,

Defendants - Appellees.

No. 08-56770

D.C. No. 5:08-cv-01321-UA-RZ

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Alicemarie H. Stotler, District Judge, Presiding

Submitted February 16, 2010**

Before: FERNANDEZ, GOULD, and M. SMITH, Circuit Judges.

John Steelman, a California state prisoner, appeals pro se from the district court's order denying his request to proceed without prepayment of filing fees. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion,

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Tripati v. First Nat'l Bank & Trust, 821 F.2d 1368, 1369 (9th Cir. 1987), and we affirm.

The district court did not abuse its discretion by denying Steelman's request to proceed without prepayment of filing fees because the claims in the complaint were based only on "contingent future events that may not occur as anticipated, or indeed may not occur at all," and therefore were not ripe. *Scott v. Pasadena Unified Sch. Dist.*, 306 F.3d 646, 662 (9th Cir. 2002) (internal quotation marks and citations omitted); *see also Tripati*, 821 F.2d at 1370 ("A district court may deny leave to proceed in forma pauperis at the outset if it appears from the face of the proposed complaint that the action is frivolous or without merit.").

AFFIRMED.