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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>DAVID PUTZER,</p> <p style="text-align: center;">Plaintiff - Appellant,</p> <p>v.</p> <p>JAMES DONNELLY; et al.,</p> <p style="text-align: center;">Defendants - Appellees.</p>
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No. 09-17335

D.C. No. 3:07-cv-00620-LRH-VPC

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Nevada  
Larry R. Hicks, District Judge, Presiding

Submitted March 16, 2010\*\*  
San Francisco, California

Before: SCHROEDER, PREGERSON and RAWLINSON, Circuit Judges.

David Putzer, a Nevada state inmate, appeals pro se the district court's denial of his request for preliminary injunctive relief against appellee prison

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\* 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).

officials. Putzer seeks permission to attend a religious candle-lighting ceremony held at the prison. We have jurisdiction under 28 U.S.C. § 1292(a)(1), and we affirm.

We express no view on the merits of the underlying complaint. Our sole inquiry is whether the district court abused its discretion in denying preliminary injunctive relief. *The Lands Council v. McNair*, 537 F.3d 981, 986 (9th Cir. 2008); *see Winter v. Natural Resources Defense Council*, 129 S. Ct. 365, 374 (2008) (listing factors for district court to consider); *Sports Form, Inc.*, 686 F.2d 750, 752-53 (9th Cir. 1982) (explaining limited scope of review) We conclude the district court did not abuse its discretion. Accordingly, we affirm the district court's order denying the preliminary injunction.

**AFFIRMED.**