

MAR 30 2010

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

PIERRE GENEVIER,

Plaintiff - Appellant,

v.

EDUARDO AGUIRRE; et al.,

Defendants - Appellees.

No. 07-56730

D.C. No. CV-05-07517-AG

MEMORANDUM\*

Appeal from the United States District Court  
for the Central District of California  
Andrew J. Guilford, District Judge, Presiding

Submitted March 16, 2010\*\*

Before: SCHROEDER, PREGERSON, and RAWLINSON, Circuit Judges.

Pierre Geneviev appeals pro se from the district court's judgment dismissing his civil rights action alleging that the defendants wrongfully denied him various

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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).

benefits that he was entitled to as a refugee, and other claims. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion a dismissal pursuant to Federal Rule of Civil Procedure 41(b). *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260 (9th Cir. 1992). We affirm.

The district court did not abuse its discretion by dismissing the action after Genevier repeatedly failed to file an amended complaint that complied with the district court's previous orders and ignored numerous warnings that failure to do so would result in dismissal. *See id.* at 1260-61 (discussing factors to be considered before dismissing under Rule 41(b) for failure to comply with a court order).

Genevier's remaining contentions are unpersuasive.

Genevier's motion to take judicial notice is denied as moot.

**AFFIRMED.**