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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JUMAH THOMAS MOORE-ALI,

Plaintiff - Appellant,

v.

JEANNE WOODFORD; et al.,

Defendants - Appellees.

No. 08-15425

D.C. No. 4:05-CV-02676-SBA

MEMORANDUM*

Appeal from the United States District Court
for the Northern District of California
Saundra Brown Armstrong, District Judge, Presiding

Submitted March 16, 2010**

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

California state prisoner Jumah Thomas Moore-Ali appeals pro se from the district court's order denying his application to pursue his civil rights action in

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

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

forma pauperis (“IFP”). We have jurisdiction under 28 U.S.C. § 1291. We review for abuse of discretion. *O’Loughlin v. Doe*, 920 F.2d 614, 616 (9th Cir. 1990). We affirm.

Moore-Ali does not contest on appeal that he is a three-strikes filer under 28 U.S.C. § 1915(g). Moreover, the district court correctly determined that he did not show that he was “under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g). The harm Moore-Ali alleged occurred approximately one year before he filed the action. Accordingly, the district court properly denied his IFP application.

AFFIRMED.