

JUN 04 2010

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>PETER T. HARRELL,</p> <p>Plaintiff - Appellant,</p> <p>v.</p> <p>SOUTHERN OREGON UNIVERSITY; et al.,</p> <p>Defendants - Appellees.</p>
--

No. 09-35992

D.C. No. 1:08-cv-03037-CL

MEMORANDUM*

Appeal from the United States District Court
for the District of Oregon
Owen M. Panner, District Judge, Presiding

Submitted May 25, 2010**
San Francisco, California

Before: CANBY, THOMAS and W. FLETCHER, Circuit Judges.

Plaintiff-appellant Peter T. Harrell appeals pro se the district court's denial of his request for preliminary injunctive relief against defendants-appellees in

* 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).

connection with appellant's complaint for civil rights violations, pursuant to 42 U.S.C. § 1983. We have jurisdiction under 28 U.S.C. § 1292(a)(1), and we affirm.

We express no view on the merits of the 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*, --- U.S. ----, ----, 129 S. Ct. 365, 374, 172 L. Ed.2d 249 (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.