

DEC 27 2010

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

DANIEL JAMES TREBAS,

Plaintiff - Appellant,

v.

ROBERT KNAPP; et al.,

Defendants - Appellees.

No. 09-55594

D.C. No. 2:08-cv-04809-FMC-
PLA

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Florence-Marie Cooper, District Judge, Presiding

Submitted December 14, 2010**

Before: GOODWIN, WALLACE, and W. FLETCHER, Circuit Judges.

Daniel James Trebas appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action alleging violations of his constitutional rights. We have jurisdiction under 28 U.S.C. § 1291. We review de novo, *Huftile v. Miccio-Fonseca*, 410 F.3d 1136, 1138 (9th Cir. 2005), and we affirm.

* 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).

The district court properly dismissed Trebas's claims concerning defendants' conduct in connection with his civil commitment and recommitment proceedings, because success on those claims would necessarily imply the invalidity of his commitment. *See id.* at 1139-40.

The district court properly dismissed Trebas's claims of inadequate medical treatment, because they fail to state a claim under the Due Process Clause of the Fourteenth Amendment. *See Youngberg v. Romeo*, 457 U.S. 307, 321-25 (1982).

Trebas's remaining contentions are unpersuasive.

AFFIRMED.