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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>TERRY L. JEFFERSON,</p> <p>Plaintiff - Appellant,</p> <p>v.</p> <p>SEATTLE PARKS DEPT.,</p> <p>Defendant - Appellee.</p>

No. 09-35854

D.C. No. 2:08-cv-01726-RSL

MEMORANDUM*

Appeal from the United States District Court
for the Western District of Washington
Robert S. Lasnik, Chief District Judge, Presiding

Submitted December 14, 2010**

Before: GOODWIN, WALLACE, and THOMAS, Circuit Judges.

Terry L. Jefferson appeals pro se from the district court’s order dismissing his employment discrimination complaint for failure to serve the summons and complaint in a timely manner. We have jurisdiction under 28 U.S.C. § 1291. We

* 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).

review for an abuse of discretion. *Oyama v. Sheehan (In re Sheehan)*, 253 F.3d 507, 511 (9th Cir. 2001). We affirm.

The district court properly dismissed the action without prejudice to refile because Jefferson failed properly to serve a summons and complaint on the defendant even after receiving several extensions of time for effecting service, *see Fed. R. Civ. P. 4(c)(2) & 4(m)*, or to show good cause for this failure, *see In re Sheehan*, 253 F.3d at 512; *Townsel v. Cnty of Contra Costa*, 820 F.2d 319, 320 (9th Cir. 1987) (ignorance does not constitute good cause).

The district court did not abuse its discretion in denying Jefferson's motion for appointment of counsel because he failed to establish exceptional circumstances. *See Agyeman v. Corr. Corp. of Am.*, 390 F.3d 1101, 1103 (9th Cir. 2004) (setting forth standard of review and requirements for appointment of counsel).

Jefferson's remaining contentions are unpersuasive.

AFFIRMED.