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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>DANTE CRAIG,</p> <p>Plaintiff - Appellant,</p> <p>v.</p> <p>A. F. HERNANDEZ, Lieutenant; et al.,</p> <p>Defendants - Appellees.</p>
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No. 09-15904

D.C. No. 1:05-cv-01579-AWI-GSA

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Anthony W. Ishii, Chief Judge, Presiding

Submitted April 5, 2011**

Before: B. FLETCHER, CLIFTON, and BEA, Circuit Judges.

California state prisoner Dante Craig appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action alleging that prison officials violated his Eighth and Fourteenth Amendment rights when they housed him with

* 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).

a documented enemy. We have jurisdiction under 28 U.S.C. § 1291. We review de novo. *Resnick v. Hayes*, 213 F.3d 443, 447 (9th Cir. 2000). We affirm.

The district court properly dismissed Craig’s action because the second amended complaint failed to allege any specific facts showing that he was entitled to relief. *See Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007) (a complaint must go beyond “labels and conclusions, and a formulaic recitation of the elements of a cause of action,” and provide the grounds for entitlement to relief).

AFFIRMED.