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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>ENRIQUE GABRIELLE MENDEZ- VALENZUELA,</p> <p style="text-align: center;">Plaintiff - Appellant,</p> <p style="text-align: center;">v.</p> <p>STATE OF ARIZONA; et al.,</p> <p style="text-align: center;">Defendants - Appellees.</p>
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No. 07-15293

D.C. No. CV-06-02798-JAT/DKD

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
James A. Teilborg, District Judge, Presiding

Submitted May 24, 2011**

Before: PREGERSON, THOMAS, and PAEZ, Circuit Judges.

Enrique Gabrielle Mendez-Valenzuela appeals pro se from the district court's judgment dismissing her 42 U.S.C. § 1983 action alleging that defendants failed to respond properly to her report of an assault and damage to her legal

* 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).

documents. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion the district court's dismissal for failure to comply with vexatious litigant orders. *In re Fillbach*, 223 F.3d 1089, 1090-91 (9th Cir. 2000). We affirm.

The district court did not abuse its discretion by dismissing the action because Mendez-Valenzuela failed to comply with the vexatious litigant orders entered against her requiring, among other things, that she submit a motion for leave to file a complaint in which she certifies that she presents claims that have never been reviewed and disposed of on the merits by any federal court, and that are not frivolous or taken in bad faith. *See Mendez v. Trujillo*, No. 04-00698, slip op. at 1 (D. Ariz. Aug. 18, 2004); *Mendez v. Maxwell*, No. 02-02452, slip op. at 1 (D. Ariz. Aug. 25, 2003). Mendez-Valenzuela neither submitted a motion for leave to file a complaint nor certified that she asserted new, non-frivolous, good faith claims in her complaint.

Mendez-Valenzuela's remaining contentions are unpersuasive.

AFFIRMED.