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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>GILBERT ISRAEL SERRANO, Sr.,</p> <p>Plaintiff - Appellant,</p> <p>v.</p> <p>C. B. ROMO, Correctional Officer; et al.,</p> <p>Defendants - Appellees.</p>
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No. 10-15923

D.C. No. 2:08-cv-01222-BJR

MEMORANDUM\*

Appeal from the United States District Court  
for the Eastern District of California  
Barbara Jacobs Rothstein, District Judge, Presiding

Submitted July 12, 2011\*\*

Before: SCHROEDER, ALARCÓN, and LEAVY, Circuit Judges.

California state prisoner Gilbert Israel Serrano, Sr. appeals pro se from the district court’s judgment dismissing his 42 U.S.C. § 1983 action alleging claims for denial of due process and inadequate medical care. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion the dismissal of an action for

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\* 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).

failure to comply with a court order, *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260 (9th Cir. 1992), and we affirm.

The district court did not abuse its discretion in dismissing Serrano's action after he obtained extensions and clarifications but failed to comply with two orders requiring him to file an amended complaint or face dismissal. *See* Fed. R. Civ. P. 41(b) (allowing dismissal of action for failure to prosecute or comply with court orders); *see also Ferdik*, 963 F.2d at 1260-61 (listing factors to guide decision about whether to dismiss under Rule 41(b)). Dismissal followed the court's exploration of less drastic alternatives, and, under the circumstances, served both the public's interest in expeditiously resolving litigation and the court's interest in managing its docket. *See Ferdik*, 963 F.2d at 1262-63 (dismissal appropriate where three out of five factors strongly support it).

Serrano's remaining contentions are unpersuasive.

**AFFIRMED.**