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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>FERNANDO ARANDA,</p> <p>Plaintiff - Appellant,</p> <p>v.</p> <p>ELIZABETH MEYERS; et al.,</p> <p>Defendants - Appellees.</p>

No. 10-17304

D.C. No. 2:10-cv-01434-GEB-DAD

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Garland E. Burrell, Jr., District Judge, Presiding

Submitted August 2, 2011**

Before: RYMER, IKUTA, and N. R. SMITH, Circuit Judges.

Fernando Aranda, a California state prisoner, appeals pro se from the district court's order denying his application to proceed in forma pauperis. We have jurisdiction under 28 U.S.C. § 1291. We review de novo. *Andrews v. Cervantes*, 493 F.3d 1047, 1052 (9th Cir. 2007). 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 denied Aranda’s application to proceed in forma pauperis because Aranda did not contest that he is a three-strikes filer and did not provide plausible allegations that he was “under imminent danger of serious physical injury” at the time he filed the complaint. 28 U.S.C. § 1915(g); *see also Andrews*, 493 F.3d at 1055 (an exception to the three-strikes rule exists only where “the complaint makes a plausible allegation that the prisoner faced ‘imminent danger of serious physical injury’ at the time of filing”).

Aranda’s remaining contentions are unpersuasive.

AFFIRMED.