

OCT 12 2011

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>KATHERINE AVILLA OWEN,</p> <p style="text-align: center;">Plaintiff - Appellant,</p> <p>v.</p> <p>COUNTY OF IMPERIAL and DOES, 1 through 30,</p> <p style="text-align: center;">Defendants - Appellees.</p>
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No. 10-55612

D.C. No. 3:08-cv-01767-L-NLS

MEMORANDUM*

Appeal from the United States District Court
for the Southern District of California
M. James Lorenz, District Judge, Presiding

Submitted September 27, 2011 **

Before: SILVERMAN, W. FLETCHER, and MURGUIA, Circuit Judges.

Katherine Avilla Owen appeals pro se from the district court’s judgment dismissing her action alleging claims under the Americans with Disabilities Act and state law in connection with her arrest by the County of Imperial. We have

* 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).

jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion a dismissal for failure to prosecute, *Ash v. Cvetkov*, 739 F.2d 493, 495 (9th Cir. 1984), and we affirm.

The district court did not abuse its discretion by dismissing the action, without prejudice, after weighing the relevant factors. *See id.* at 496 (discussing factors relevant to dismissal for failure to prosecute).

We do not consider Owen's contentions concerning the district court's orders denying her motion for recusal and awarding sanctions to defendants. *See id.* at 497-98 (interlocutory orders are not appealable after dismissal for failure to prosecute).

AFFIRMED.