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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

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| <p>MICHAEL B. WILLIAMS,</p> <p>Plaintiff - Appellant,</p> <p>v.</p> <p>CANDICE BOTICH; et al.,</p> <p>Defendants - Appellees.</p> |
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No. 10-56818

D.C. No. 2:05-cv-02877-TJH-AN

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Terry J. Hatter, District Judge, Presiding

Submitted November 21, 2011**

Before: TASHIMA, BERZON, and TALLMAN, Circuit Judges.

Michael B. Williams, who is civilly committed in the state of California, appeals pro se from the district court’s judgment dismissing his 42 U.S.C. § 1983 action alleging that defendants retaliated against him for filing a grievance. We have jurisdiction under 28 U.S.C. § 1291. We review de novo. *Nelson v. Heiss*,

* 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).

271 F.3d 891, 893 (9th Cir. 2001). We affirm.

We affirm for the reasons stated in the magistrate judge's report and recommendation entered on September 3, 2010, and adopted and approved by the district court on September 24, 2010.

Williams's remaining contentions are unpersuasive.

We do not consider matters not specifically and distinctly raised and argued in the opening brief, nor arguments and allegations raised for the first time on appeal. *See Padgett v. Wright*, 587 F.3d 983, 985 n. 2 (9th Cir. 2009) (per curiam).

AFFIRMED.