

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

FEB 29 2012

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

OMAR ERNEST EPPS,

Plaintiff - Appellant,

v.

N. GRANNIS, Chief, Inmate Appeals
Branch; et al.,

Defendants - Appellees.

No. 11-56589

D.C. No. 3:10-cv-01949-BEN-MDD

MEMORANDUM*

Appeal from the United States District Court
for the Southern District of California
Roger T. Benitez, District Judge, Presiding

Submitted February 21, 2012**

Before: FERNANDEZ, McKEOWN and BYBEE, Circuit Judges.

Omar Ernest Epps appeals pro se the district court's denial of his request for preliminary injunctive relief against several prison official defendant-appellees.

We have jurisdiction under 28 U.S.C. § 1292(a)(1), and 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).

We express no view on the merits of the complaint. Our sole inquiry is whether the district court abused its discretion in denying preliminary injunctive relief. *The Lands Council v. McNair*, 537 F.3d 981, 986 (9th Cir. 2008); *see Winter v. Natural Resources Defense Council*, 129 S. Ct. 365, 374 (2008) (listing factors for district court to consider); *Sports Form, Inc. v. United Press Int'l*, 686 F.2d 750, 752-53 (9th Cir. 1982) (explaining limited scope of review). We conclude the district court did not abuse its discretion. Accordingly, we affirm the district court's order denying the preliminary injunction.

AFFIRMED.