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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

GUADALUPE B. GUERRA, Plaintiff - Appellant, v. DERRAL G. ADAMS, Warden, Corcoran State Prison; et al., Defendants - Appellees.	No. 11-15995 D.C. No. 1:08-cv-00785-GSA MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Gary S. Austin, Magistrate Judge, Presiding**

Submitted April 17, 2012***

Before: LEAVY, PAEZ, and BEA, Circuit Judges.

California state prisoner Guadalupe B. Guerra appeals pro se from the district court's judgment dismissing his action alleging deliberate indifference to

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* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** Guerra consented to proceed before a magistrate judge. *See* 28 U.S.C. § 636(c).

*** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

his serious medical needs. We have jurisdiction under 28 U.S.C. § 1291. We review de novo the district court's dismissal for failure to state a claim under 28 U.S.C. §§ 1915A or 1915(e)(2)(B)(ii). *Resnick v. Hayes*, 213 F.3d 443, 447 (9th Cir. 2000); *Barren v. Harrington*, 152 F.3d 1193, 1194 (9th Cir. 1998) (order). We affirm.

After giving Guerra specific notice of the deficiencies in his original complaint and leave to amend, the district court properly dismissed Guerra's action because the amended complaint contained the same deficiencies as the original complaint. *See Arnold v. Int'l Bus. Machs. Corp.*, 637 F.2d 1350, 1355 (9th Cir. 1981) (to bring § 1983 claim, plaintiff must link each named defendant with some affirmative act or omission that demonstrates a violation of plaintiff's constitutional rights).

We do not consider allegations raised for the first time on appeal. *See Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009) (per curiam). These new allegations must be raised, if at all, in a separate action.

Guerra's remaining contentions are unpersuasive.

All pending motions are denied.

AFFIRMED.