

OCT 16 2012

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

WILLIE J. JONES,

Plaintiff - Appellant,

v.

DARRELL J.K. WONG; et al.,

Defendants - Appellees.

No. 11-16523

D.C. No. 1:11-cv-00209-JMS-RLP

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Hawaii  
J. Michael Seabright, District Judge, Presiding

Submitted October 9, 2012\*\*

Before: RAWLINSON, MURGUIA, and WATFORD, Circuit Judges.

Hawaii state prisoner Willie J. Jones appeals pro se from the district court’s judgment dismissing his 42 U.S.C. § 1983 action alleging constitutional violations in connection with his prosecution for sexual assault charges. We have jurisdiction

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\* 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).

under 28 U.S.C. § 1291. We review de novo a dismissal under 28 U.S.C. § 1915A, *Resnick v. Hayes*, 213 F.3d 443, 447 (9th Cir. 2000), and we affirm.

The district court properly dismissed Jones’s claims against defendant Wong on the basis of prosecutorial immunity. *See Imbler v. Pachtman*, 424 U.S. 409, 431 (1976) (prosecutors are entitled to absolute immunity under § 1983 for “initiating a prosecution and . . . presenting the State’s case”).

The district court properly dismissed Jones’s claims against the City and County of Honolulu because Jones failed to allege facts showing that his injury was caused by individual officers whose conduct conformed to an official policy, custom, or practice. *See Galen v. County of Los Angeles*, 477 F.3d 652, 667 (9th Cir. 2007) (setting forth requirements for a § 1983 claim of municipal liability).

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).

**AFFIRMED.**