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U.S. COURT OF APPEALS

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UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

DAVID E. EDWARDS, Plaintiff - Appellant, v. PECK, Cpt., Defendant - Appellee.	No. 12-15845 D.C. No. 2:10-cv-00298-LKK-DAD MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Lawrence K. Karlton, District Judge, Presiding

Submitted March 12, 2013**

Before: PREGERSON, REINHARDT, and W. FLETCHER, Circuit Judges.

California state prisoner David E. Edwards appeals pro se from the district court's summary judgment in his 42 U.S.C. § 1983 action alleging that defendants violated his right to adequate sanitation by prohibiting him from possessing a

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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).

plastic bucket that he used to wash clothing. We have jurisdiction under 28 U.S.C. § 1291. We review de novo. *Morrison v. Hall*, 261 F.3d 896, 900 (9th Cir. 2001). We affirm.

The district court properly granted summary judgment because Edwards failed to raise a genuine dispute of material fact as to whether defendants' removal of a plastic bucket that Edwards used to wash his personal, as opposed to state-issued, clothing was sufficiently grave to form the basis of an Eighth Amendment violation. *See Wilson v. Seiter*, 501 U.S. 294, 298 (1991) ("[O]nly those deprivations denying 'the minimal civilized measure of life's necessities' are sufficiently grave to form the basis of an Eighth Amendment violation." (quoting *Rhodes v. Chapman*, 452 U.S. 447, 347 (1981)).

AFFIRMED.