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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

CLARENCE HAYWOOD,

Plaintiff - Appellant,

v.

STEPHEN J. HILLMAN, Magistrate
Judge; et al.,

Defendants - Appellees.

No. 12-56845

D.C. No. 5:03-cv-00996-DT

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Audrey B. Collins, District Judge, Presiding

Submitted February 18, 2014**

Before: ALARCÓN, O’SANNLAIN, and FERNANDEZ, Circuit Judges.

Former California state prisoner Clarence Haywood appeals pro se from the district court’s order striking a document he filed in violation of a vexatious litigant order issued in his action under *Bivens v. Six Unknown Named Agents of Federal*

* 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).

Bureau of Narcotics, 403 U.S. 388 (1971). We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion, *Moy v. United States*, 906 F.2d 467, 469 (9th Cir. 1990), and we affirm.

In a previous appeal, this court affirmed the district court's imposition of a vexatious litigant order against Haywood that required him to obtain the court's permission before filing any future claims regarding an alleged judicial conspiracy to uphold his criminal convictions under California's purportedly unconstitutional three-strikes law. *See Haywood v. Hillman*, No. 08-56338, 398 F. App'x 296 (9th Cir. Sep. 13, 2010). Because Haywood failed to obtain the court's permission before filing the document at issue in violation of the vexatious litigant order, the district court did not abuse its discretion by rejecting it. *Cf. In re Fillbach*, 223 F.3d 1089, 1090 (9th Cir. 2000) (affirming the dismissal of a petition filed in the district court to try to circumvent the bankruptcy court's vexatious litigant order).

Haywood's motion to expedite, filed on February 5, 2014, is denied as moot.

AFFIRMED.