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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>GREGORY LYNN NORWOOD,</p> <p style="text-align: center;">Plaintiff - Appellant,</p> <p>v.</p> <p>M. ROBINSON, Correctional Officer; et al.,</p> <p style="text-align: center;">Defendants - Appellees.</p>

No. 13-15163

D.C. No. 1:08-cv-00172-ROS

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Roslyn O. Silver, District Judge, Presiding

Submitted May 13, 2014**

Before: CLIFTON, BEA, and WATFORD, Circuit Judges.

California state prisoner Gregory Lynn Norwood appeals pro se from the district court’s summary judgment in his 42 U.S.C. § 1983 action alleging that prison officials confiscated his property in retaliation for filing a grievance. We

* 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).

have jurisdiction under 28 U.S.C. § 1291. We review de novo. *Brodheim v. Cry*, 584 F.3d 1262, 1267 (9th Cir. 2009). We affirm.

The district court properly granted summary judgment because Norwood failed to raise a genuine dispute of material fact as to whether the confiscation of his property was not reasonably related to legitimate penological interests. *See id.* at 1269 (setting forth elements of a retaliation claim in the prison context); *Pratt v. Rowland*, 65 F.3d 802, 806-07 (9th Cir. 1995) (deference should be afforded to prison officials in evaluating proffered “legitimate penological” goals); *see also Cafasso, U.S. ex rel. v. Gen. Dynamics C4 Sys., Inc.*, 637 F.3d 1047, 1061 (9th Cir. 2011) (“To survive summary judgment, a plaintiff must set forth non-speculative evidence of specific facts, not sweeping conclusory allegations.”).

Norwood’s contention that the applicable prison regulation requiring confiscation of his property was “illegal” is unpersuasive.

AFFIRMED.