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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>DOMINIQUE BAKER,</p> <p>Plaintiff - Appellant,</p> <p>v.</p> <p>MAIN LIBRARY; et al.,</p> <p>Defendants - Appellees.</p>

No. 13-15131

D.C. No. 4:12-cv-00693-CKJ

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
Cindy K. Jorgenson, District Judge, Presiding

Submitted July 22, 2014**

Before: GOODWIN, CANBY, and CALLAHAN, Circuit Judges.

Dominique Baker appeals pro se from the district court’s judgment dismissing his action alleging violations of various federal rights arising from his attempt to borrow interlibrary loan materials. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion a dismissal for failure to comply with the local rules. *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995) (per

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

curiam). We affirm.

The district court did not abuse its discretion by dismissing Baker's claims against the Main Library defendants for failure to comply with the local rules because the district court warned Baker that failure to oppose the motion to dismiss would result in the motion being granted. Rather than file an opposition, Baker resubmitted his complaint and other unresponsive documents. *See* D. Ariz. Loc. R. 7.2(i) (failure to file an opposition "may be deemed a consent to the . . . granting of the motion and the Court may dispose of the motion summarily"). Moreover, the balance of factors favored dismissal. *See Ghazali*, 46 F.3d at 53-54 (listing the factors to be weighed before dismissing an action for failure to follow the local rules, noting that pro se litigants are bound by the rules, and affirming the dismissal of a pro se plaintiff's civil rights action for failure to file a timely opposition to defendant's motions to compel and to dismiss).

AFFIRMED.