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U.S. COURT OF APPEALS

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UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

RONNIE S. MARTIN, Plaintiff - Appellant, v. MORRIS, Dr., Individually; et al., Defendants - Appellees.	No. 13-56672 D.C. No. 2:10-cv-05232-PSG-PJW MEMORANDUM[*]

Appeal from the United States District Court
for the Central District of California
Philip S. Gutierrez, District Judge, Presiding

Submitted November 18, 2014[**]

Before: LEAVY, FISHER, and N.R. SMITH, Circuit Judges.

Ronnie S. Martin, a California state prisoner, appeals pro se from the district court's summary judgment in his 42 U.S.C. § 1983 action alleging an Eighth Amendment claim challenging the conditions of his confinement. We have jurisdiction under 28 U.S.C. § 1291. We review de novo cross-motions for

[*] 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).

summary judgment. *Ford v. City of Yakima*, 706 F.3d 1188, 1192 (9th Cir. 2013). We may affirm on any basis supported by the record, *Gordon v. Virtumundo, Inc.*, 575 F.3d 1040, 1047 (9th Cir. 2009), and we affirm.

Summary judgment for defendants was proper because Martin failed to raise a genuine dispute of material fact as to whether defendants were deliberately indifferent in refusing to prescribe special soap and lotion. *See Farmer v. Brennan*, 511 U.S. 825, 832, 837 (1994) (a prison official is not liable under the Eighth Amendment for depriving an inmate "humane conditions of confinement" unless he or she "knows of and disregards an excessive risk to inmate health").

We reject Martin's contention that the district court should have stricken Barnett's Declaration.

Martin's motion to expand the record on appeal and request for judicial notice, filed on October 3, 2013, are denied as unnecessary.

We do not consider arguments raised for the first time on appeal. *See Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009) (per curiam).

AFFIRMED.