

JUL 29 2015

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U.S. COURT OF APPEALS

## NOT FOR PUBLICATION

## UNITED STATES COURT OF APPEALS

## FOR THE NINTH CIRCUIT

BRADLEY SCOTT PROULX,

Petitioner - Appellant,

v.

P. D. BRAZELTON,

Respondent - Appellee.

No. 13-17484

D.C. No. 3:13-cv-00350-SI

MEMORANDUM\*

Appeal from the United States District Court  
for the Northern District of California  
Susan Illston, District Judge, Presiding

Submitted July 21, 2015\*\*

Before: CANBY, BEA, and MURGUIA, Circuit Judges.

California state prisoner Bradley Scott Proulx appeals pro se from the district court's judgment denying his 28 U.S.C. § 2254 habeas petition. We have jurisdiction under 28 U.S.C. § 2253. We review de novo the denial of a habeas

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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).

corpus petition, *see Fairbank v. Ayers*, 650 F.3d 1243, 1250 (9th Cir. 2011), and we affirm.

Proulx argues that the state trial court violated his right to self-representation under *Faretta v. California*, 422 U.S. 806 (1975). In light of Proulx's repeated requests for substitute counsel, the state court's conclusion that Proulx's request to represent himself was equivocal was not contrary to, or an unreasonable application of, *Faretta*, nor was it based on an unreasonable determination of the facts in light of the evidence presented in state court. *See* 28 U.S.C. § 2254(d).

**AFFIRMED.**