

MAR 03 2016

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JAMES H. TAKECHI,

Plaintiff - Appellant,

v.

G. ADAME, Correctional Officer; J.
TYREE, Correctional Officer,

Defendants - Appellees.

No. 14-16583

D.C. No. 1:12-cv-00913-AWI-
DLB

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Anthony W. Ishii, District Judge, Presiding

Submitted February 24, 2016**

Before: LEAVY, FERNANDEZ, and RAWLINSON, Circuit Judges.

James H. Takechi, a California state prisoner, appeals pro se from the district court's summary judgment in his 42 U.S.C. § 1983 action alleging a due process claim in connection with his re-validation as an associate of a prison gang. 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, *Bruce v. Ylst*, 351 F.3d 1283, 1287 (9th Cir. 2003), and we affirm.

The district court properly granted summary judgment because Takechi failed to raise a genuine dispute of material fact as to whether he did not receive the process he was due, or as to whether his re-validation was not supported by “some evidence.” *See Castro v. Terhune*, 712 F.3d 1304, 1307, 1314-15 (9th Cir. 2013) (discussing the “some evidence” requirement); *Bruce*, 351 F.3d at 1287-88 (explaining the due process requirements for gang validation in the prison context).

We reject as without merit Takechi’s contentions regarding contraband watch allegations in the operative complaint.

Takechi’s request for a list of district court documents, filed on October 3, 2014, is denied as moot.

AFFIRMED.