

JUN 23 2016

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

DELANEY E. SMITH, JR., Pharma D
MD,

Plaintiff - Appellant,

v.

COUNTY OF LOS ANGELES; et al.,

Defendants - Appellees.

No. 14-55189

D.C. No. 2:11-cv-04996-PA-FMO

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Percy Anderson, District Judge, Presiding

Submitted June 14, 2016**

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

Delaney E. Smith, Jr. appeals pro se from the district court's January 3, 2014 order striking documents from the docket. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion. *Ready Transp., Inc. v. AAR Mfg.*,

* 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).

Inc., 627 F.3d 402, 404 (9th Cir. 2010). We affirm.

The district court did not abuse its discretion in exercising its inherent power to strike Smith’s filings from the docket because they were filed nearly thirteen months after the district court closed the case, and the district court had previously directed the district court clerk to reject any future filings that Smith made in the case. *See id.* (explaining that federal district courts have the “inherent power to control their docket” (internal quotation marks and citations omitted)).

We lack jurisdiction to consider any of the district court’s prior rulings because Smith failed to file a timely notice of appeal. *See* Fed. R. App. P. 4(a)(1) (a notice of appeal must be filed within 30 days after the date of entry of the judgment).

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).

All pending motions and requests are denied.

AFFIRMED.