NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MICHAEL B. WILLIAMS, Plaintiff - Appellant, v. BRUCE COLEMAN, Vocational Supervisor at Coalinga State Hospital; GABRIEL DIAZ, Vocational Services Assignment Supervisor at Coalinga State Hospital, Defendants - Appellees.	No. 13-15082 D.C. No. 1:11-cv-01189-GBC MEMORANDUM[*]

Appeal from the United States District Court
for the Eastern District of California
Gerald B. Cohn, Magistrate Judge, Presiding[**]

Submitted July 24, 2013[***]

Before: ALARCÓN, CLIFTON, and CALLAHAN, Circuit Judges.

---

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

[**] Williams consented to proceed before a magistrate judge. *See* 28 U.S.C. § 636(c).

[***] The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Michael B. Williams, a civil detainee confined at Coalinga State Hospital pursuant to California's Sexually Violent Predator Act, appeals pro se from the district court's judgment dismissing his action alleging that defendants violated the Thirteenth Amendment and the Fair Labor Standards Act. We have jurisdiction under 28 U.S.C. § 1291. We review de novo a dismissal for failure to state a claim under 28 U.S.C. § 1915A, *Resnick v. Hayes*, 213 F.3d 443, 447 (9th Cir. 2000), and 28 U.S.C. § 1915(e)(2), *Barren v. Harrington*, 152 F.3d 1193, 1194 (9th Cir. 1998) (order). We affirm.

The district court properly dismissed Williams's action because the allegations in his amended complaint did not "contain[ ] enough facts to state a claim to relief that is plausible on its face." *Hebbe v. Pliler*, 627 F.3d 338, 341-42 (9th Cir. 2010) (citation and internal quotation marks omitted); *see also* U.S. Const. amend. XIII, § 1 (prohibiting involuntarily servitude); *Gilbreath v. Cutter Biological, Inc*., 931 F.2d 1320, 1324-25 (9th Cir. 1991) (discussing economic reality test to consider for determining whether an employer-employee relationship exists).

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

Williams's motion filed on March 6, 2013 is denied as moot.

AFFIRMED.