

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUN 20 2018

FOR THE NINTH CIRCUIT

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

STEPHEN JEROME WILLIAMS,

No. 17-17466

Plaintiff-Appellant,

D.C. No. 4:16-cv-01136-HSG

v.

MEMORANDUM*

E. HAZEL, Sgt.; et al.,

Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of California
Haywood S. Gilliam, Jr., District Judge, Presiding

Submitted June 12, 2018**

Before: RAWLINSON, CLIFTON, and NGUYEN, Circuit Judges.

California state prisoner Stephen Jerome Williams appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action alleging access-to-courts and due process claims. We have jurisdiction under 28 U.S.C. § 1291. We review de novo a district court's dismissal on the basis of qualified immunity.

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

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

Nelson v. Heiss, 271 F.3d 891, 893 (9th Cir. 2001). We affirm.

The district court properly dismissed Williams's action on the basis of qualified immunity because it would not have been clear to every reasonable officer that he was violating Williams's constitutional rights. *See Ashcroft v. al-Kidd*, 563 U.S. 731, 735 (2011) (explaining two-part test for qualified immunity).

The district court did not abuse its discretion in denying Williams's motion for reconsideration because Williams failed to demonstrate any basis for relief. *See Carroll v. Nakatani*, 342 F.3d 934, 940, 945 (9th Cir. 2003) (setting forth standard of review and grounds for reconsideration under Federal Rule of Civil Procedure 59(e)).

AFFIRMED.