NOT FOR PUBLICATION

FILED

JUL 13 2018

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

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

In re: WESTWOOD PLAZA NORTH, Debtor. _____ SHMUEL ERDE, Plaintiff-Appellant, v. THEODOR NICKOLAS BODNAR; et al., Defendants-Appellees.	No. 18-55079 D.C. No. 2:13-cv-00318-BRO MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Virginia A. Phillips, Chief Judge, Presiding

Submitted July 10, 2018**

Before: CANBY, W. FLETCHER, and CALLAHAN, Circuit Judges.

Shmuel Erde appeals pro se from the district court's order denying leave to file various pleadings pursuant to a pre-filing restriction imposed on him as a

* 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).

vexatious litigant. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion. *Moy v. United States*, 906 F.2d 467, 469 (9th Cir. 1990). We affirm.

The district court did not abuse its discretion by denying Erde's requests for leave to file various pleadings because the proposed filings were within the scope of the pre-filing order. *See West v. Procunier*, 452 F.2d 645, 646 (9th Cir. 1971) (concluding that an order refusing to authorize filing of complaint was a "proper exercise of the district court's authority to effectuate compliance with its earlier order").

To the extent Erde seeks to challenge the underlying pre-filing order, we do not consider his contentions because such a challenge is outside the scope of this appeal. *See Valadez-Lopez v. Chertoff*, 656 F.3d 851, 859 n.2 (9th Cir. 2011).

We do not consider matters not specifically and distinctly raised and argued in the opening brief. *See Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009).

AFFIRMED.