

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JAN 24 2019

FOR THE NINTH CIRCUIT

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

STEVEN M. CRUM,

Plaintiff-Appellant,

v.

TANYIA BEAL, Counselor, Oregon State
Correctional Institution (OSCI); et al.,

Defendants-Appellees.

No. 17-35449

D.C. No. 6:16-cv-00600-HZ

MEMORANDUM*

Appeal from the United States District Court
for the District of Oregon
Marco A. Hernandez, District Judge, Presiding

Submitted January 15, 2019**

Before: TROTT, TALLMAN, and CALLAHAN, Circuit Judges.

Oregon state prisoner Steven M. Crum appeals pro se from the district court's summary judgment in his 42 U.S.C. § 1983 action alleging that prison mail restrictions violated his constitutional rights to familial association, due process, and equal protection. We have jurisdiction under 28 U.S.C. § 1291. We review de

* 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).

novo a district court's summary judgment for failure to exhaust administrative remedies. *Jackson v. Fong*, 870 F.3d 928, 932 (9th Cir. 2017). We affirm.

The district court properly granted summary judgment because Crum did not exhaust administrative remedies before filing his action. *See Ross v. Blake*, 136 S. Ct. 1850, 1858-60 (2016) (explaining that an inmate must exhaust "such administrative remedies as are available" before bringing suit, and describing limited circumstances under which administrative remedies are effectively unavailable).

AFFIRMED.