

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JAN 29 2021

FOR THE NINTH CIRCUIT

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

LANCE CONWAY WOOD,

No. 20-35892

Plaintiff-Appellant,

D.C. No. 2:20-cv-00362-SB

v.

MEMORANDUM*

SUE WASHBURN, Superintendent of
Eastern Oregon Correctional Institution
("EOCI"), in her individual and official
capacities; et al.,

Defendants-Appellees.

Appeal from the United States District Court
for the District of Oregon
Stacie F. Beckerman, Magistrate Judge, Presiding**

Submitted January 20, 2021***

Before: McKEOWN, CALLAHAN, and BRESS, Circuit Judges.

Oregon state prisoner Lance Conway Wood appeals pro se from the district

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

** The parties 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).

court's order denying his motion for a preliminary injunction in his action in his 42 U.S.C. § 1983 action alleging retaliation and due process violations. We have jurisdiction under 28 U.S.C. § 1292(a)(1). We review for an abuse of discretion. *Jackson v. City & County of San Francisco*, 746 F.3d 953, 958 (9th Cir. 2014). We affirm.

The district court did not abuse its discretion in denying Wood's motion for a preliminary injunction because Wood failed to establish that he was likely to suffer irreparable harm. *See Boardman v. Pac. Seafood Grp.*, 822 F.3d 1011, 1022 (9th Cir. 2016) (explaining that "[s]peculative injury does not constitute irreparable injury sufficient [to obtain a preliminary injunction]").

We reject as without merit Wood's contention that the district court was required to hold an evidentiary hearing regarding Wood's motion for a preliminary injunction.

AFFIRMED.