

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 23 2021

FOR THE NINTH CIRCUIT

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

LULA TAYLOR,

No. 20-15720

Plaintiff-Appellant,

D.C. No. 3:18-cv-00586-MMD-VCF

v.

MEMORANDUM*

COSTCO WHOLESALE CORPORATION,

Defendant-Appellee.

Appeal from the United States District Court
for the District of Nevada
Miranda M. Du, District Judge, Presiding

Submitted August 17, 2021**

Before: SILVERMAN, CHRISTEN, and LEE, Circuit Judges.

Lula Taylor appeals pro se from the district court's judgment dismissing as a discovery sanction her diversity action alleging a negligence claim. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion a dismissal under Federal Rule of Civil Procedure 37. *Conn. Gen. Life Ins. Co. v.*

* 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).

New Images of Beverly Hills, 482 F.3d 1091, 1096 (9th Cir. 2007). We affirm.

The district court did not abuse its discretion in dismissing Taylor's action because Taylor failed to respond adequately to discovery in compliance with the district court's discovery order despite multiple warnings that failure to do so could result in dismissal. *See id.* at 1096-97 (factors to be considered before dismissing under Rule 37(b)).

AFFIRMED.