

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

SEP 22 2021

FOR THE NINTH CIRCUIT

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

JW SEALS, Jr.,

No. 20-56015

Plaintiff-Appellant,

D.C. No. 2:18-cv-10104-CBM-JEM

v.

MEMORANDUM*

LOS ANGELES UNIFIED SCHOOL
DISTRICT,

Defendant-Appellee.

Appeal from the United States District Court
for the Central District of California
Consuelo B. Marshall, District Judge, Presiding

Submitted September 14, 2021**

Before: PAEZ, NGUYEN, and OWENS, Circuit Judges.

JW Seals, Jr. appeals pro se from the district court's order dismissing his employment discrimination action. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion a dismissal for failure to comply with a court order. *Pagtalunan v. Galaza*, 291 F.3d 639, 640 (9th Cir. 2002). We affirm.

* 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).

The district court did not abuse its discretion by dismissing Seals's action under Federal Rule of Civil Procedure 41(b) because Seals failed to file an amended complaint despite repeated opportunities and after being warned that failure to do so would result in dismissal. *See id.* at 640, 642-43 (discussing factors to consider in determining whether to dismiss for failure to comply with a court order and noting that dismissal should not be disturbed absent "a definite and firm conviction" that the district court "committed a clear error of judgment" (citation and internal quotation marks omitted)).

AFFIRMED.