

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

DEC 20 2021

FOR THE NINTH CIRCUIT

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

JAMES JOSEPH KNOCHER,

No. 20-17326

Petitioner-Appellant,

D.C. No. 3:19-cv-08086-GMS-JZB

and

EMILY NOELLE MIHAYLO,

MEMORANDUM*

Petitioner,

v.

AMY FACKRELL; JOHN C. MORRIS;
UNKNOWN PARTY, named as Medical
Director - West Yavapai Guidance Clinic;
ATTORNEY GENERAL FOR THE STATE
OF ARIZONA,

Respondents-Appellees.

Appeal from the United States District Court
for the District of Arizona

G. Murray Snow, District Judge, Presiding

Submitted December 14, 2021**

* 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).

Before: WALLACE, CLIFTON, and HURWITZ, Circuit Judges.

James Joseph Knochel appeals pro se from the district court's order designating him a vexatious litigant and imposing pre-filing restrictions against him. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Knochel contends that the district court should have held an evidentiary hearing before imposing the order, and that recent developments in state court undermine the basis for the order. Reviewing for abuse of discretion, *see Molski v. Evergreen Dynasty Corp.*, 500 F.3d 1047, 1056 (9th Cir. 2007), we conclude there was none. The district court followed the appropriate procedure in imposing the order: It gave Knochel notice and an opportunity to oppose the order, compiled an adequate record for appellate review, made substantive findings regarding the harassing nature of Knochel's litigation history, and narrowly tailored the prohibition to future filings in which Knochel may seek to act on behalf of, as next friend of, or that in any way relate to, Emily Mihaylo. *See Ringgold-Lockhart v. Cnty. of Los Angeles*, 761 F.3d 1057, 1062 (9th Cir. 2014). The alleged developments in state court do not undermine the basis for the order, and the authorities Knochel cites do not support his claim that the district court erred by failing to hold an evidentiary hearing regarding those developments.

AFFIRMED.