

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

FEB 28 2022

FOR THE NINTH CIRCUIT

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

SHIKEB SADDOZAI,

No. 21-55062

Plaintiff-Appellant,

D.C. No. 5:20-cv-01010-DOC-DFM

v.

MEMORANDUM*

P. BIRDSONG, Ironwood State Prison
Appeal Coordinator, individual and official
capacity; NEIL MCDOWELL, Warden,
Warden for Ironwood State Prison,
individual and official capacity;
CALIFORNIA DEPARTMENT OF
CORRECTIONS AND REHABILITATION,
Director; individual and official capacity,

Defendants-Appellees.

Appeal from the United States District Court
for the Central District of California
David O. Carter, District Judge, Presiding

Submitted February 15, 2022**

Before: FERNANDEZ, TASHIMA, and FRIEDLAND, Circuit Judges.

California state prisoner Shikeb Saddozai 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 panel unanimously concludes this case is suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

court's judgment dismissing his 42 U.S.C § 1983 action concerning the inmate grievance process. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion a dismissal for failure to prosecute. *Carey v. King*, 856 F.2d 1439, 1440 (9th Cir. 1988). We affirm.

The district court did not abuse its discretion in dismissing Saddozai's action because Saddozai failed to file an amended complaint, a notice of election to stand on his complaint, or a request for an additional extension of time, despite being warned that failure to respond would result in dismissal. *See id.* (factors to be considered in determining whether to dismiss an action for failure to prosecute).

AFFIRMED.