

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JAN 26 2023

FOR THE NINTH CIRCUIT

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

ADAM PAUL BLOMDAHL,

No. 22-15463

Plaintiff-Appellant,

D.C. No. 2:21-cv-01863-MTL-DMF

v.

MEMORANDUM*

DAVID SHINN, Director, Director of
Arizona Department of Corrections; SCOTT,
Deputy Warden; BRENNEN, Disciplinary
Captain of (ADC); MILLER, CO III Miller,
A-pod SMU CO III Unit Manager,

Defendants-Appellees.

Appeal from the United States District Court
for the District of Arizona
Michael T. Liburdi, District Judge, Presiding

Submitted January 18, 2023**

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

Adam Paul Blomdahl appeals pro se from the district court's judgment
dismissing his 42 U.S.C. § 1983 action alleging various constitutional claims. We

* 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).

have jurisdiction under 28 U.S.C. § 1291. We review de novo a dismissal under 28 U.S.C. § 1915A for failure to state a claim. *Wilhelm v. Rotman*, 680 F.3d 1113, 1118 (9th Cir. 2012). We affirm.

The district court properly dismissed Blomdahl's claims against defendants Shinn and Brennen because Blomdahl failed to allege facts sufficient to show that these defendants personally participated in a constitutional violation. *See Starr v. Baca*, 652 F.3d 1202, 1207-08 (9th Cir. 2011) (requirements for establishing supervisory liability).

The district court properly dismissed Blomdahl's claims against defendant Miller because Blomdahl failed to allege facts sufficient to show that Miller was deliberately indifferent to Blomdahl's health or safety. *See Farmer v. Brennan*, 511 U.S. 825, 837 (1994) (a prison official cannot be held liable for deliberate indifference "unless the official knows of and disregards an excessive risk to inmate health or safety; the official must both be aware of facts from which the inference could be drawn that a substantial risk of serious harm exists, and he must also draw the inference"); *Hebbe v. Pliler*, 627 F.3d 338, 341-42 (9th Cir. 2010) (although pro se pleadings are liberally construed, a plaintiff must allege facts sufficient to state a plausible claim).

Blomdahl's "motion to enter support[ing] exhibits" is denied.

AFFIRMED.