

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JAN 27 2023

FOR THE NINTH CIRCUIT

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

ANTONIO D. CRAWFORD, AKA Asia,

No. 22-16055

Plaintiff-Appellant,

D.C. No. 4:21-cv-00498-JCH

v.

MEMORANDUM*

TUBB, Unknown; Assistant Warden, Federal
Correctional Complex, USA Penitentiary;
JAMES HAYDEN, Chief Psychologist,
Federal Correctional Complex, USA
Penitentiary; CATRICIA HOWARD,
Warden, Federal Correctional Complex,
USA Penitentiary; WAITE, Unknown; Dr.
Health Services at FCC-USP-Tucson; M.
MACK, E-Inmate Unit Management Staff at
the FCC-USP-Tucson; BHEULE, Unknown;
Captain of FCC-USP-Tucson,

Defendants-Appellees.

Appeal from the United States District Court
for the District of Arizona
John Charles Hinderaker, District Judge, Presiding

Submitted January 18, 2023**

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

* 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).

Antonio D. Crawford, aka Asia, appeals pro se from the district court's order denying her motion for a preliminary injunction in her 42 U.S.C. § 1983 action alleging an Eighth Amendment violation. We have jurisdiction under 28 U.S.C. § 1292(a)(1). We dismiss the appeal as moot.

A review of the record demonstrates that on December 21, 2022, the district court entered a judgment of dismissal without prejudice in response to plaintiff's voluntary dismissal of the action pursuant to Federal Rule of Civil Procedure 41(a)(1)(A). Consequently, this preliminary injunction appeal is dismissed as moot. *See SEC v. Mount Vernon Mem'l Park*, 664 F.2d 1358, 1361 (9th Cir. 1982) (district court's entry of final judgment renders pending appeal from preliminary injunction moot).

All pending motions are denied as moot.

DISMISSED.