

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAR 21 2023

FOR THE NINTH CIRCUIT

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

JOSHUA DAVIS BLAND,

Plaintiff-Appellant,

v.

STATE OF CALIFORNIA; XAVIER
BECERRA, Attorney General; KRISTEN K.
CHENELIA, Deputy Attorney General;
TAMI M. KREZIN, Deputy Attorney
General; PAUL E. O'CONNOR, Deputy
Attorney General; SARAH M. BRATTIN,
Deputy Attorney General; LUCAS L.
HENNES, Deputy Attorney General;
JOANNA B. HOOD, Deputy Attorney
General; MATTHEW R. WILSON, Deputy
Attorney General,

Defendants-Appellees.

No. 22-15559

D.C. No. 2:19-cv-02100-JAM-DMC

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
John A. Mendez, District Judge, Presiding

Submitted March 14, 2023**

Before: SILVERMAN, SUNG, and SANCHEZ, 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).

California state prisoner Joshua Davis Bland appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action alleging a violation of the Contract Clause. We have jurisdiction under 28 U.S.C. § 1291. We review de novo the district court's dismissal under 28 U.S.C. § 1915A. *Resnick v. Hayes*, 213 F.3d 443, 447 (9th Cir. 2000). We affirm.

The district court properly dismissed Bland's action because Bland failed to allege facts sufficient to state a plausible claim. *See Hebbe v. Pliler*, 627 F.3d 338, 341-42 (9th Cir. 2010) (although pro se pleadings are construed liberally, plaintiff must present factual allegations sufficient to state a plausible claim for relief); *see also RUI One Corp. v. City of Berkeley*, 371 F.3d 1137, 1147 (9th Cir. 2004) (stating framework to review a claim under the Contract Clause).

AFFIRMED.