

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 21 2023

FOR THE NINTH CIRCUIT

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

RA'TAH B. MENIOOH,

No. 22-16854

Plaintiff-Appellant,

D.C. No. 3:21-cv-08495-VC

v.

MEMORANDUM*

DENNIS GAGNON; STANLEY
HARKNESS, Sued in his individual and
official capacities; CITY AND COUNTY
OF HUMBOLDT; STEPHEN WATSON,
Sued in his official capacity; CITY OF
EUREKA,

Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of California
Vince Chhabria, District Judge, Presiding

Submitted August 15, 2023**

Before: TASHIMA, S.R. THOMAS, and FORREST, Circuit Judges.

Ra'Tah B. Meniooh appeals pro se from the district court's judgment
dismissing his 42 U.S.C. § 1983 action alleging violations of his Fourth and

* 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).

Fourteenth Amendment rights. We have jurisdiction under 28 U.S.C. § 1291. We review de novo a district court's dismissal on the basis of the applicable statute of limitations and under Federal Rule of Civil Procedure 12(b)(6). *Cholla Ready Mix, Inc. v. Civish*, 382 F.3d 969, 973 (9th Cir. 2004). We affirm.

The district court properly dismissed Meniooh's action as time-barred because Meniooh's claims accrued more than two years before Meniooh filed this action. *See Lockett v. County of Los Angeles*, 977 F.3d 737, 740 (9th Cir. 2020) (for §1983 claims, federal courts apply the forum state's statute of limitations; California's statute of limitations is two years for personal injury actions).

AFFIRMED.