

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

SEP 21 2023

FOR THE NINTH CIRCUIT

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

JENNIFER L.M. SENDZUL,

No. 22-55508

Plaintiff-Appellant,

D.C. No. 2:21-cv-06894-RGK-KS

v.

MEMORANDUM*

JAY C. HOAG, an individual; et al.,

Defendants-Appellees.

Appeal from the United States District Court
for the Central District of California
R. Gary Klausner, District Judge, Presiding

Submitted September 12, 2023**

Before: CANBY, CALLAHAN, and OWENS, Circuit Judges.

Jennifer L.M. Sendzul appeals pro se from the district court's judgment dismissing her copyright infringement action for failure to prosecute. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion.

Pagtalunan v. Galaza, 291 F.3d 639, 640 (9th Cir. 2002). We affirm.

* 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).

The district court did not abuse its discretion in dismissing Sendzul's action when she failed to appear for the scheduling conference and then failed to appear for the subsequent show cause hearing. *See id.* at 641-43 (discussing the factors to be considered in determining whether to dismiss for failure to prosecute or failure to comply with a court order, and stating this court may independently review the record if the district court has not made explicit findings).

The district court did not abuse its discretion in denying Sendzul's motion for recusal because Sendzul failed to establish any basis for disqualification. *See United States v. McTiernan*, 695 F.3d 882, 891-92 (9th Cir. 2012) (setting forth standard of review and circumstances requiring disqualification).

AFFIRMED.