

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JAN 19 2024

FOR THE NINTH CIRCUIT

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

In re: KIMBERLY MARTIN-BRAGG,

No. 23-55253

Debtor.

D.C. No. 2:22-cv-06465-MEMF

IVAN RENE MOORE,

MEMORANDUM*

Appellant,

v.

KIMBERLY MARTIN-BRAGG; RONALD
HILLS,

Appellees.

Appeal from the United States District Court
for the Central District of California
Otis D. Wright II, District Judge, Presiding

Submitted January 17, 2024**

Before: S.R. THOMAS, McKEOWN, and HURWITZ, Circuit Judges.

Ivan Rene Moore appeals pro se from the district court's order dismissing

* 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). Moore's request for oral argument, set forth in the opening brief, is denied.

his bankruptcy appeal pursuant to a prefiling vexatious litigant order. We have jurisdiction under 28 U.S.C. § 158(d). We review for an abuse of discretion. *In re Fillbach*, 223 F.3d 1089, 1090 (9th Cir. 2000). We affirm.

The district court did not abuse its discretion in dismissing Moore’s appeal because Moore failed to comply with the prefiling order previously entered against him in 2018. *See Weissman v. Quail Lodge, Inc.*, 179 F.3d 1194, 1197 (9th Cir. 1999) (“District courts have the inherent power to file restrictive pre-filing orders against vexatious litigants with abusive and lengthy histories of litigation. Such pre-filing orders may enjoin the litigant from filing further actions or papers unless he or she first meets certain requirements” (citation omitted)); *Moore v. Wells Fargo Bank, et al.*, No. 2:17-cv-04828-ODW (GJS), 2018 WL 2264207 at *2-3 (C.D. Cal. May 17, 2018) (prefiling order).

We reject as meritless Moore’s contentions that the 2018 prefiling order is moot, and that the district court could not dismiss Moore’s appeal once the parties had submitted briefs.

We do not consider Moore’s challenges to the 2018 prefiling order because it is outside the scope of this appeal.

We do not consider matters not specifically and distinctly raised and argued in the opening brief. *See Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009).

All pending motions are denied.

AFFIRMED.