

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

APR 25 2025

FOR THE NINTH CIRCUIT

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

ANTHONY R. PRICE,

Plaintiff - Appellant,

v.

STATE OF NEVADA; JUSTICE COURT
OF SPARK TOWNSHIP; Judge JENNIFER
MAGOS; COUNTY OF WASHOE; CITY
OF RENO; NICHOLAS ZICARI;
CHRISTOPHER BALLESTEROS;
BROOME PHILIPS; WASHOE COUNTY
JAIL; SPARK JUSTICE COURT; RENO
JUSTICE COURT; NAPA MEDICAL
CARE; MEDICAL NAPCARE;
NAPHCARE, INC.,

Defendants - Appellees.

No. 23-2393

D.C. No. 3:20-cv-00609-RCJ-CSD

MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
Robert Clive Jones, District Judge, Presiding

Submitted April 22, 2025**

Before: GRABER, H.A. THOMAS, and JOHNSTONE, 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).

Anthony R. Price appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action alleging a Fourteenth Amendment violation while he was a pretrial detainee. 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) (dismissal for failure to comply with court order and failure to prosecute); *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995) (dismissal for failure to comply with local rules). We affirm.

The district court did not abuse its discretion in dismissing Price's action after the district court warned Price that failure to update his contact information would result in dismissal. *See* Fed. R. Civ. P. 41(b) (district court may dismiss an action "[i]f the plaintiff fails to prosecute or to comply with these rules or a court order"); D. Nev. L.R. IA 3-1 (providing that a party's failure to update their mailing address with the court immediately may result in dismissal); *Pagtalunan*, 291 F.3d at 642-43 (discussing factors that courts must consider in determining whether to dismiss for failure to prosecute or failure to comply with a court order); *Ghazali*, 46 F.3d at 53 (explaining that a court must weigh the same five factors to determine whether dismissal for failure to follow a local rule was an abuse of discretion).

The district court did not abuse its discretion in denying Price's motions under Federal Rule of Civil Procedure 60(b)(1) because Price failed to demonstrate

any basis for relief. *See Lemoge v. United States*, 587 F.3d 1188, 1191-92 (9th Cir. 2009) (setting forth standard of review and factors to consider when assessing excusable neglect).

AFFIRMED.