

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

NOV 18 2025

FOR THE NINTH CIRCUIT

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

IAN LAMONTE CORMIER,

Plaintiff - Appellant,

v.

PEOPLE OF THE STATE OF
CALIFORNIA; GREG
HORTA; LEON; GIL; RAMOS; DOE,

Defendants - Appellees.

No. 24-4278

D.C. No. 5:24-cv-00648-SVW-KES

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Stephen V. Wilson, District Judge, Presiding

Submitted November 12, 2025**

Before: SCHROEDER, RAWLINSON, and NGUYEN, Circuit Judges.

Ian LaMonte Cormier appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action alleging constitutional claims arising from his interactions with law enforcement and from prior criminal and civil rights

* 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).

litigation. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion a dismissal for failure to prosecute and failure to comply with a court order. *Pagtalunan v. Galaza*, 291 F.3d 639, 640 (9th Cir. 2002). We affirm.

The district court did not abuse its discretion by dismissing Cormier’s action without prejudice after Cormier failed to file an amended complaint or a notice of intent to proceed with his original complaint. *See* Fed. R. Civ. P. 41(b) (district court may dismiss an action if the plaintiff “fails to prosecute or to comply with these rules or a court order”); *Pagtalunan*, 291 F.3d at 642-43 (discussing the five factors to consider before dismissing an action for failure to prosecute or failure to comply with a court order).

We do not consider arguments and allegations raised for the first time on appeal. *See Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009).

AFFIRMED.