

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

JAN 23 2026

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

SHARROD MOTEN,

Plaintiff - Appellant,

v.

ENRIQUEZ, Corrections Officer, individual; SMITH, Correctional Officer, individual; WERNER, Correctional Officer, individual; TERESA CISNEROS, Warden, individual; B. EDWARDS, CEO, individual; MALENDREZ, CC2, individual; ESPARZA, Sgt., individual; VILLALOBOS, Sgt., individual; D. MELO, Correctional Officer, individual; ROSAS, Correctional Officer, individual; PACKARD, Correctional Officer, individual; PAZ, RN, individual; CAMACHO, Correctional Officer, individual; DR. ALEXANDER, Mental Health Clinician, individual; R. OCHOA, Captain, individual; GALSHAN, CEO-SATF, individual; REOYO, Corrections Officer, individual; HENRY, Corrections Officer, individual; LACHINOV, Corrections Officer, individual; ACEVEDO, Corrections Officer, individual; K. BRADFORD, Committee Member, individual; RAYBON JOHNSON,

No. 23-2418

D.C. No. 2:23-cv-02595-DOC-SP

MEMORANDUM*

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

Warden, individual; ZANZI NEBLETT, Captain, individual; WAFFORD, CDW, individual; CONRAD SMITH, CC1, individual; TORRES, Corrections Officer, individual; BATREZ, Corrections Officer, individual; CALDERON, Corrections Officer, individual; GONZALEZ, Corrections Officer, individual; McDUFFY, Corrections Officer, individual; IBARRA, Corrections Officer, individual; MARTINEZ, Corrections Officer, individual; MOZ, Sgt., individual,

Defendants - Appellees.

Appeal from the United States District Court
for the Central District of California
David O. Carter, District Judge, Presiding

Submitted January 22, 2026**

Before: WARDLAW, CLIFTON, and R. NELSON, Circuit Judges.

California state prisoner Sharrod Moten appeals pro se from the district court's order denying him in forma pauperis status and dismissing his 42 U.S.C. § 1983 action alleging constitutional claims. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion the denial of in forma pauperis status. *O'Loughlin v. Doe*, 920 F.2d 614, 616 (9th Cir. 1990). We affirm.

The district court did not abuse its discretion in denying Moten in forma

** The panel unanimously concludes this case is suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

pauperis status because Moten failed to include “a short and plain statement of the claim showing that the pleader is entitled to relief.” Fed. R. Civ. P. 8(a)(2); *Pickern v. Pier 1 Imports (U.S.), Inc.*, 457 F.3d 963, 968 (9th Cir. 2006) (“Federal Rule of Civil Procedure 8(a)(2) requires that the allegations in the complaint give the defendant fair notice of what the plaintiff’s claim is and the grounds upon which it rests.” (citation and internal quotation marks omitted)); *Nevijel v. N. Coast Life Ins. Co.*, 651 F.2d 671, 674 (9th Cir. 1981) (explaining that a complaint that is “verbose, confusing and conclusory” violates Rule 8).

The district court did not abuse its discretion in dismissing the action without leave to amend because amendment would have been futile. *See Cervantes v. Countrywide Home Loans, Inc.*, 656 F.3d 1034, 1041 (9th Cir. 2011) (setting forth standard of review and explaining that dismissal without leave to amend is proper when amendment would be futile).

All pending motions and requests are denied.

AFFIRMED.