

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAY 11 2026

FOR THE NINTH CIRCUIT

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

TERRELL ODEN,

Plaintiff - Appellant,

v.

J. REED; J. PEFFLEY,

Defendants - Appellees.

No. 24-5281

D.C. No. 5:22-cv-06980-BLF

MEMORANDUM*

Appeal from the United States District Court
for the Northern District of California
Beth Labson Freeman, District Judge, Presiding

Submitted April 22, 2026**

Before: LEE, DESAI, and JOHNSTONE, Circuit Judges.

California state prisoner Terrell Oden appeals pro se from the district court's summary judgment in his 42 U.S.C. § 1983 alleging retaliation in violation of the First Amendment. We have jurisdiction under 28 U.S.C. § 1291. We review de novo. *Desire, LLC v. Manna Textiles, Inc.*, 986 F.3d 1253, 1259 (9th Cir. 2021).

* 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)*.

We affirm.

The district court properly granted summary judgment because Oden failed to raise a genuine dispute of material fact as to whether defendant Reed found Oden guilty of fraud because of Oden's protected conduct or whether the guilty finding did not reasonably advance a legitimate correctional goal. *See Rhodes v. Robinson*, 408 F.3d 559, 567-68 (9th Cir. 2005) (setting forth elements of retaliation claim in the prison context); *see also Brodheim v. Cry*, 584 F.3d 1262, 1271 (9th Cir. 2009) (explaining that “[t]o prevail on a retaliation claim, a plaintiff must show that his protected conduct was ‘the ‘substantial’ or ‘motivating’ factor behind the defendant’s conduct’” (citation omitted)).

AFFIRMED.