

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAY 29 2026

FOR THE NINTH CIRCUIT

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

DE WITT LAMAR LONG,

Plaintiff - Appellant,

v.

Chaplain CHARLES NOLAND, Jr.,
Halawa Correctional Facility; HAMADA,
Correctional Officer, Halawa Correctional
Facility; Sergeant LEAIALAIMATAFAO,
Correctional Officer, Halawa Correctional
Facility; LYLE ANTONIO, Chief of
Security, Halawa Correctional
Facility; SCOTT O. HARRINGTON,
Warden, Halawa Correctional Facility,

Defendants - Appellees.

No. 23-2080

D.C. No.

1:21-cv-00205-HG-RT

MEMORANDUM*

Appeal from the United States District Court
for the District of Hawaii
Helen W. Gillmor, District Judge, Presiding

Submitted May 26, 2026**

Before: S.R. THOMAS, MILLER, and H.A. THOMAS, 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).

Hawaii state prisoner De Witt Lamar Long appeals pro se from the district court's summary judgment in his 42 U.S.C. § 1983 action alleging constitutional claims. We have jurisdiction under 28 U.S.C. § 1291. We review de novo. *Jones v. Slade*, 23 F.4th 1124, 1133 (9th Cir. 2022). We affirm.

The district court properly granted summary judgment on Long's First Amendment free exercise claims because Long failed to raise a genuine dispute of material fact as to whether defendants Antonio and Harrison personally participated in interrupting Jumu'ah prayer services at the Halawa Correctional Facility in 2019. *See Jones v. Williams*, 297 F.3d 930, 934 (9th Cir. 2002) (explaining that liability under § 1983 requires personal participation by the defendant in the alleged rights deprivation).

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.