

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUL 30 2026

FOR THE NINTH CIRCUIT

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

KEVIN DEWAYNE TAYLOR, Jr.,

Plaintiff - Appellant,

v.

SEATTLE AND KING COUNTY  
DEPARTMENT OF PUBLIC HEALTH;  
PATRON, Officer, King County Jail  
Seattle; ALVEREZ, Jail Official, King  
County Jail Kent; SHERGILL, Jail Official,  
King County Jail Seattle; MJ, Nurse, King  
County Jail, Kent; HOA, Nurse, King  
County Jail, Kent; KING COUNTY JAIL  
HEALTH SERVICES; COUNTY OF  
KING,

Defendants - Appellees.

No. 25-4391

D.C. No.

2:25-cv-00787-RSM

MEMORANDUM\*

Appeal from the United States District Court  
for the Western District of Washington  
Ricardo S. Martinez, District Judge, Presiding

Submitted July 29, 2026\*\*

Before: McKEOWN, TALLMAN, and MENDOZA, JR., Circuit Judges.

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\* 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).

Kevin Dewayne Taylor, Jr., a Washington state pretrial detainee, appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action alleging deliberate indifference to his serious medical needs. 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 vacate and remand.

The district court dismissed Taylor's action because it determined that Taylor failed to file an amended complaint as directed by its May 1, 2025, screening order. However, the record reflects that Taylor timely filed an amended complaint on May 15, 2025. We vacate the district court's judgment and remand for the district court to consider Taylor's amended complaint.

Taylor's motion (Docket Entry No. 7) for appointment of counsel is denied.

**VACATED AND REMANDED.**