

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

SEP 25 2026

FOR THE NINTH CIRCUIT

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

JIMMY C. HAMMOND,

Plaintiff - Appellant,

v.

LOWE'S HOME CENTERS, LLC; DOES,
1-10,

Defendants - Appellees.

No. 25-2217

D.C. No. 5:23-cv-01064-HDV-SP

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Hernan Diego Vera, District Judge, Presiding

Submitted September 22, 2026**

Before: OWENS, COLLINS, and SUNG, Circuit Judges.

Jimmy C. Hammond appeals pro se from the district court's order dismissing his diversity action arising from an alleged slip-and-fall incident. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion the

* 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).

imposition of case-terminating sanctions. *Conn. Gen. Life Ins. Co. v. New Images of Beverly Hills*, 482 F.3d 1091, 1096 (9th Cir. 2007). We affirm.

The district court did not abuse its discretion by dismissing Hammond's action as a sanction for Hammond's willful and repeated violations of the court's discovery orders. *See* Fed. R. Civ. P. 37(b)(2)(A)(v) (a district court may dismiss an action as a sanction if a party fails to obey an order to provide or permit discovery); *Conn. Gen. Life Ins. Co.*, 482 F.3d at 1096 (listing the factors used to determine whether a terminating sanction is just, including the risk of prejudice to the party seeking sanctions and the district court's previous unsuccessful attempts of imposing lesser sanctions and giving warnings).

Because we affirm the district court's imposition of a terminating sanction, we reject as meritless Hammond's contention that the district court improperly failed to rule on his motion for leave to amend.

Hammond's request for attorney's fees (Docket Entry No. 22) is denied.

AFFIRMED.