

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

SEP 28 2026

FOR THE NINTH CIRCUIT

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

RODNEY JEROME WOMACK,

Plaintiff - Appellant,

v.

W. GIBBONS, Sergeant; A. GOMEZ,
Correctional Officer; E. SMITH,
Correctional Officer; G. OBRIEN,
Correctional Officer,

Defendants - Appellees.

No. 25-6136

D.C. No. 1:19-cv-00615-KES-SAB

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Kirk Edward Sherriff, District Judge, Presiding

Submitted September 22, 2026**

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

California state prisoner Rodney Jerome Womack appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action for failure to

* 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).

comply with a court order. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion. *Thompson v. Hous. Auth. of Los Angeles*, 782 F.2d 829, 831-32 (9th Cir. 1986). We affirm.

The district court did not abuse its discretion by dismissing Womack's action because Womack refused to attend the settlement conference despite being repeatedly warned that failure to comply with court orders would result in a dismissal. *See Pagtalunan v. Galaza*, 291 F.3d 639, 642-43 (9th Cir. 2002) (setting forth factors for determining whether an action should be dismissed as a sanction for failure to comply with a court order).

AFFIRMED.