

NOT FOR PUBLICATION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

JAMES ARTHUR ROSS,

Plaintiff - Appellant,

v.

STATE OF OREGON; HEIDI STEWARD,
Acting Director; WARREN ROBERTS;
JOE BUGHER; MARCIA VENTURA;
KACIE THOMPSON; ERIN REYES;
PATRICK MANEY; ROGER BLAIR; D.
WETTLAUER; C. SCOTT; S.
JOHNSTON,

Defendants - Appellees.

No. 25-6163

D.C. No. 2:23-cv-00515-SB

MEMORANDUM*

Appeal from the United States District Court
for the District of Oregon
Stacie F. Beckerman, Magistrate Judge, Presiding**

Submitted September 22, 2026***

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The parties consented to proceed before a magistrate judge. *See* 28 U.S.C. § 636(c).

*** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

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

Oregon state prisoner James Arthur Ross appeals pro se from the district court's order denying his motion for a temporary restraining order ("TRO") requesting access to a Securebook laptop. We have jurisdiction under 28 U.S.C. § 1292(a)(1). *Religious Tech. Ctr., Church of Scientology Int'l, Inc. v. Scott*, 869 F.2d 1306, 1309 (9th Cir. 1989) (order denying a TRO is appealable if it is tantamount to the denial of a preliminary injunction). We review for an abuse of discretion. *Id.* We affirm.

The district court did not abuse its discretion by denying as moot Ross's request for a Securebook because defendants voluntarily provided him with a Securebook. *See Friends of the Earth, Inc. v. Laidlaw Env't Servs. (TOC), Inc.*, 528 U.S. 167, 170 (2000) ("A case might become moot if subsequent events make it absolutely clear that the allegedly wrongful behavior could not reasonably be expected to recur.").

The district court did not abuse its discretion by denying Ross's additional request to be allowed to use the Securebook for legal work because Ross did not amend his complaint after receiving the Securebook to include claims related to the restrictions on his use of the Securebook. *See Pac. Radiation Oncology, LLC v. Queen's Med. Ctr.*, 810 F.3d 631, 636 (9th Cir. 2015) (absent a sufficient nexus between the claims raised in a motion for injunctive relief and the claims set forth

in the underlying complaint, the district court lacks authority to grant the relief requested).

Ross's motion (Docket Entry No. 12) to waive the Prison Litigation Reform Act filing fee is denied. Prison officials will collect payments for this appeal per the January 27, 2026 authorization form. *See* 28 U.S.C. § 1915(b)(1) and (2).

Ross's request for the appointment of counsel, set forth in his opening brief, is denied.

AFFIRMED.