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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

GREGORY ELL SHEHEE,

Plaintiff - Appellant,

v.

LEROY D. BACA, L.A. County Sheriff,
in his Individual and Official Capacities; et
al.,

Defendants - Appellees.

No. 10-55460

D.C. No. 2:08-cv-02277-JHN-E

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Jacqueline H. Nguyen, District Judge, Presiding

Submitted December 19, 2011**

Before: GOODWIN, WALLACE, and McKEOWN, Circuit Judges.

Gregory Ell Shehee appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action alleging that his constitutional rights were violated while he was detained at Los Angeles County Jail while awaiting civil

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

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

commitment proceedings under California's Sexually Violent Predators Act. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion a dismissal for failure to prosecute, *Ash v. Cvetkov*, 739 F.2d 493, 495 (9th Cir. 1984), and we affirm.

The district court did not abuse its discretion by dismissing the action without prejudice after it warned Shehee that failure to file a fourth amended complaint could result in dismissal, and granted two extensions of time to comply with its order. *See id.* at 496 (discussing factors to consider in determining whether a district court abuses its discretion by dismissing an action for failure to prosecute).

Shehee's remaining contentions, including those concerning the district court's orders dismissing his third amended complaint with leave to amend and denying his request for appointment of counsel, are unpersuasive.

AFFIRMED.