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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

RODOLFO C. ANDERSON,

Plaintiff - Appellant,

v.

TALISMAN, DR.,

Defendant - Appellee.

No. 09-16911

D.C. No. 1:07-cv-00715-ALA

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Arthur L. Alarcón, Circuit Judge, Presiding**

Submitted September 13, 2010***

Before: SILVERMAN, CALLAHAN, and N.R. SMITH, Circuit Judges.

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

** The Honorable Arthur L. Alarcón, United States Circuit Judge for the Ninth Circuit, sitting by designation.

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

California state prisoner Rodolfo C. Anderson appeals pro se from the district court's summary judgment in his 42 U.S.C. § 1983 action alleging that a prison medical official forced him to take antipsychotic medications against his will. We have jurisdiction pursuant to 28 U.S.C. § 1291. We review de novo. *Frost v. Agnos*, 152 F.3d 1124, 1128 (9th Cir. 1998). We affirm.

The district court properly granted summary judgment because Anderson failed to raise a genuine issue of material fact as to whether the prison doctor violated his constitutional rights by involuntarily medicating him. *See Washington v. Harper*, 494 U.S. 210, 231-33 (1990); *Kulas v. Valdez*, 159 F.3d 453, 456 (9th Cir. 1998).

We do not consider arguments raised for the first time on appeal. *See Smith v. Marsh*, 194 F.3d 1045, 1052 (9th Cir. 1999).

Anderson's remaining contentions are unpersuasive.

AFFIRMED.