

OCT 06 2010

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

DOUGLAS ALLEN ASHCROFT,

Plaintiff - Appellant,

v.

STATE OF OREGON; et al.,

Defendants - Appellees.

No. 09-35305

D.C. No. 6:07-cv-01579-HO

MEMORANDUM*

Appeal from the United States District Court
for the District of Oregon
Michael R. Hogan, District Judge, Presiding

Submitted September 22, 2010**

Before: WALLACE, HAWKINS, and THOMAS, Circuit Judges.

The district court properly dismissed Douglas Allen Ashcroft's claims as time-barred. *See* Or. Rev. Stat. §§ 12.110(1), 30.275(9) (two-year statute of limitations for personal injury claims); *Jones v. Blanas*, 393 F.3d 918, 927 (9th Cir.

* 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).

2004) (“For actions under 42 U.S.C. § 1983, courts apply the forum state’s statute of limitations for personal injury actions[.]”); *see also Wallace v. Kato*, 549 U.S. 384, 388 (2007) (statute begins to run when the plaintiff has a complete and present cause of action).

AFFIRMED.