NOT FOR PUBLICATION

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U.S. COURT OF APPEALS

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JERRY A. BRENDEN, Plaintiff-Appellant.	No. 16-35436 D.C. No. 2:13-mc-00030-JLR MEMORANDUM*

Appeal from the United States District Court
for the Western District of Washington
James L. Robart, District Judge, Presiding

Submitted March 8, 2017**

Before: LEAVY, W. FLETCHER, and OWENS, Circuit Judges.

Jerry A. Brenden appeals pro se from the district court's order denying him leave to file a complaint under a vexatious litigant order. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion the application of a vexatious litigant order. *Moy v. United States*, 906 F.2d 467, 469 (9th Cir. 1990). We affirm.

The district court did not abuse its discretion by declining to treat Brenden's

* 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).

proposed complaint as commencing a civil action because Brenden failed to comply with the requirements set forth in the vexatious litigant ordered entered against him. *See West v. Procunier*, 452 F.2d 645, 646 (9th Cir. 1971) (concluding that an order refusing to authorize filing of complaint was a "proper exercise of the district court's authority to effectuate compliance with its earlier order").

To the extent that Brenden seeks to challenge the underlying vexatious litigant order, we do not consider his contentions because such a challenge is outside the scope of this appeal.

We do not consider any motions and requests relating to other district court cases and appeals.

AFFIRMED.