

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

DEC 16 2019

FOR THE NINTH CIRCUIT

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

ROLAND I. KEHANO, SR.,

No. 19-15512

Plaintiff-Appellant,

D.C. No. 1:19-cv-00018-SOM-KJM

v.

MEMORANDUM\*

SCOTT HARRINGTON, Warden; et al.,

Defendants-Appellees.

Appeal from the United States District Court  
for the District of Hawaii  
Susan O. Mollway, District Judge, Presiding

Submitted December 11, 2019\*\*

Before: WALLACE, CANBY, and TASHIMA, Circuit Judges.

Hawaii state prisoner Roland I. Kehano, Sr. appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action for failure to pay the filing fee after denying Kehano's motion to proceed in forma pauperis ("IFP").

We have jurisdiction under 28 U.S.C. § 1291. We review de novo. *Washington v.*

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\* 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).

*L.A. Cty. Sheriff's Dep't*, 833 F.3d 1048, 1054 (9th Cir. 2016). We affirm.

The district court properly denied Kehano's motion to proceed IFP because Kehano had filed three prior actions that were dismissed as frivolous, malicious, or for failure to state a claim, and he did not plausibly allege that he was "under imminent danger of serious physical injury" at the time he lodged the complaint. *See* 28 U.S.C. § 1915(g); *Andrews v. Cervantes*, 493 F.3d 1047, 1053, 1055-56 (9th Cir. 2007) (discussing the imminent danger exception to § 1915(g)).

The district court did not abuse its discretion by denying Kehano's motions for reconsideration because Kehano failed to establish any basis for such relief. *See Sch. Dist. No. 1J, Multnomah Cty., Or. v. ACandS, Inc.*, 5 F.3d, 1262-63 (9th Cir. 1993) (setting forth standard of review and grounds for reconsideration under Fed. R. Civ. P. 59(e) and 60(b)).

We reject as without merit Kehano's contentions concerning collusion between the district court judge and Kehano's son's health care providers.

Kehano's pending motions raise issues outside the scope of this appeal and are denied.

**AFFIRMED.**