

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

OCT 21 2021

FOR THE NINTH CIRCUIT

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

MIGUEL RIVERA,

Plaintiff-Appellant,

v.

CHARLES L. RYAN, Director of ADOC; et
al.,

Defendants-Appellees.

No. 21-15931

D.C. No. 2:19-cv-05742-DWL-JFM

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
Dominic Lanza, District Judge, Presiding

Submitted October 12, 2021**

Before: TALLMAN, RAWLINSON, and BUMATAY, Circuit Judges.

Arizona state prisoner Miguel Rivera appeals pro se from the district court's judgment dismissing his 42 U.S.C. §1983 action alleging various constitutional claims. We have jurisdiction under 28 U.S.C. § 1291. We review de novo a dismissal for failure to comply with the pleading requirements of Federal Rule of

* 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).

Civil Procedure 8. *Pickern v. Pier 1 Imports (U.S.), Inc.*, 457 F.3d 963, 968 (9th Cir. 2006). We affirm.

The district court properly dismissed Rivera’s action because the fourth amended complaint failed to comply with the requirements of Rule 8. *See* Fed. R. Civ. P. 8(a), (d)(1); *Cafasso, U.S. ex rel. v. Gen. Dynamics C4 Sys., Inc.*, 637 F.3d 1047, 1179-80 (9th Cir. 2011) (complaints that fail to comply with Rule 8 “impose unfair burdens on litigants and judges” who “cannot use [such] complaint[s]” and “must prepare outlines to determine who is being sued for what”); *McHenry v. Renne*, 84 F.3d 1172, 1177 (affirming dismissal of complaint that was “argumentative, prolix, replete with redundancy, and largely irrelevant”).

The district court did not abuse its discretion in denying Rivera’s motions for appointment of counsel because Rivera failed to demonstrate exceptional circumstances. *See Palmer v. Valdez*, 560 F.3d 965, 970 (9th Cir. 2009) (setting forth standard of review and “exceptional circumstances” requirement).

All pending motions are denied.

AFFIRMED.