

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

FEB 22 2023

FOR THE NINTH CIRCUIT

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

CORNELIUS LOPES,

Plaintiff-Appellant,

v.

KEVIN DELEON; NANCY PELOSI;
GAVIN NEWSOM; MARIA ELENA
DURAZO; ELOISE GOMEZ REYES;
JOAQUIN CASTRO; JANET
NAPOLITANO; TONI ATKINS; ELENI
KOUNALAKIS; ROBERT HERTZBERG;
SHANNON GROVE; WILLIAM SCOTT;
CONNIE LEYVA; MIKE MCGUIRE; JIM
NIELSEN; ERIKA CONTRERAS;
KATRINA RODRIQUEZ; XAVIER
BECERRA; ALEX PADILLA, Secretary of
State of California; BOD ARCHULETA;
LORI COX; ANISSA BASOCO-
VILLAREAL; CARL GUARDINO; BRIAN
BRENNAN; PATRICK YOES;
FRATERNAL ORDER OF POLICE;
PATRICK LYNCH; POLICE
BENEVOLENT ASSOCIATION OF THE
CITY OF NEW YORK,

Defendants-Appellees.

No. 21-16476

D.C. No. 3:20-cv-07758-CRB

MEMORANDUM*

Appeal from the United States District Court
for the Northern District of California

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

Charles R. Breyer, District Judge, Presiding

Submitted February 14, 2023**

Before: FERNANDEZ, FRIEDLAND, and H.A. THOMAS, Circuit Judges.

Cornelius Lopes appeals pro se from the district court’s judgment dismissing his action alleging various federal and state law 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 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 Lopes’s action for failure to comply with Rule 8(a) because Lopes’s operative complaint was vague, confusing, and failed to allege clearly the bases for his claims. *See* Fed. R. Civ. P. 8(a)(2) (requiring that a pleading contain “a short and plain statement of the claim showing that the pleader is entitled to relief”); *McHenry v. Renne*, 84 F.3d 1172, 1177 (9th Cir. 1996) (affirming dismissal of a complaint under Rule 8 because it was “argumentative, prolix, replete with redundancy, and largely irrelevant”).

The district court did not abuse its discretion by denying further leave to amend and striking Lopes’s proposed amended complaint because the proposed amended complaint did not comply with Rule 8(a). *See Cafasso, U.S. ex rel. v.*

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

Gen. Dynamics C4 Sys., Inc., 637 F.3d 1047, 1058-59 (9th Cir. 2011) (explaining that denial of leave to amend was not an abuse of discretion where proposed pleading failed to comply with Rule 8); *Ready Transp., Inc. v. AAR Mfg., Inc.*, 627 F.3d 402, 404 (9th Cir. 2010) (district court has inherent power to control its docket, including power to strike items from the docket).

All pending motions are denied.

AFFIRMED.