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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JANETTA L. SCONIERS,

Plaintiff - Appellant,

v.

JUDICIAL COUNCIL OF CALIFORNIA;
et al.,

Defendants - Appellees.

No. 12-15176

D.C. No. 1:11-cv-00113-LJO-SMS

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Lawrence J. O'Neill, District Judge, Presiding

Submitted November 18, 2015**

Before: TASHIMA, OWENS, and FRIEDLAND, Circuit Judges.

Janetta L. Sconiers appeals pro se from the district court's judgment dismissing her 42 U.S.C. § 1983 action and declaring her a vexatious litigant. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion.

* 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).

Nevijel v. N. Coast Life Ins. Co., 651 F.2d 671, 674 (9th Cir. 1981) (Fed. R. Civ. P. 41(b) dismissal); *De Long v. Hennessey*, 912 F.2d 1144, 1146 (9th Cir. 1990) (vexatious litigant order). We affirm.

The district court did not abuse its discretion by dismissing Sconiers' action because Sconiers failed to comply with Rule 8(a)'s requirement of a short and plain statement of the claims. *See* Fed. R. Civ. P. 8(a); *Nevijel*, 651 F.2d at 674 (Rule 8(a) is violated when a complaint is excessively "verbose, confusing and almost entirely conclusory"); *Cafasso v. Gen. Dynamics C4 Sys., Inc.*, 637 F.3d 1047, 1059 (9th Cir. 2011) ("Rule 8(a) has been held to be violated by a pleading that was needlessly long, or a complaint that was highly repetitious, or confused, or consisted of incomprehensible rambling." (citation and internal quotation marks omitted)).

The district court did not abuse its discretion by entering a pre-filing order against Sconiers because she had notice and an opportunity to be heard, and the district court developed an adequate record for review, made findings regarding her frivolous litigation history, and narrowly tailored the restriction. *See De Long*, 912 F.2d at 1147-48 (discussing factors to consider before imposing pre-filing restrictions on a vexatious litigant).

We reject Sconiers' contentions regarding the district court's admonishment

of Ralston L. Courtney, the district court's subject matter jurisdiction, and the district court's alleged bias against her.

We do not consider matters not specifically and distinctly raised and argued in the opening brief. *See Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009) (per curiam).

Sconiers' requests for judicial notice, set forth in her opening brief, are denied as unnecessary.

Sconiers' motions, filed on July 13, 2012, are denied.

AFFIRMED.