

FEB 26 2015

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U.S. COURT OF APPEALS

## NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

CARLOS JOHN WILLIAMS,

Plaintiff - Appellant,

v.

MARYANNE BREWER, A/C; et al.,

Defendants - Appellees.

No. 13-35736

D.C. No. 2:13-cv-00615-JLR

MEMORANDUM\*

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

Submitted February 17, 2015\*\*

Before: O'SCANNLAIN, LEAVY, and FERNANDEZ, Circuit Judges.

Carlos John Williams, a Washington state prisoner, appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action alleging First and Eighth Amendment claims. We have jurisdiction under 28 U.S.C. § 1291. We affirm.

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\* 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).

Because the district court dismissed Williams' action on the merits and not for failure to pay the filing fee, we reject Williams' contention regarding the filing fee, which is the only issue he raises in his Opening Brief.

Williams' motion for prospective relief seeking immediate transfer, miscellaneous injunctive relief, and appointment of a guardian ad litem, filed on January 9, 2015, and related motion for a prompt ruling, filed on February 2, 2015, are denied because we do not consider allegations raised for the first time on appeal.

**AFFIRMED.**