

DEC 22 2017

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

SAMUEL DODSON,

Plaintiff-Appellant,

v.

NEVADA DEPARTMENT OF
CORRECTIONS; et al.,

Defendants-Appellees.

No. 16-17264

D.C. No. 2:13-cv-00787-JCM-
VCF

MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
James C. Mahan, District Judge, Presiding

Submitted December 18, 2017**

Before: WALLACE, SILVERMAN, and BYBEE, Circuit Judges.

Samuel Dodson, a Nevada state prisoner, appeals pro se from the district court's order denying his Federal Rule of Civil Procedure 60(b)(6) motion for relief from judgment in his 42 U.S.C. § 1983 action. We have jurisdiction under

* 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).

28 U.S.C. § 1291. We review for an abuse of discretion a district court’s denial of a Rule 60(b) motion. *Foley v. Biter*, 793 F.3d 998, 1001 (9th Cir. 2015). We affirm.

The district court did not abuse its discretion by denying Dodson’s motion for relief because Dodson failed to show “extraordinary circumstances prevented [him] from timely action to prevent or correct an erroneous judgment.”

Greenawalt v. Stewart, 105 F.3d 1268, 1273 (9th Cir. 1997) (citation and internal quotation marks omitted).

AFFIRMED.