

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAR 20 2019

FOR THE NINTH CIRCUIT

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

DOYLE DEAN HARTLINE,

Plaintiff-Appellant,

v.

NATIONAL UNIVERSITY,

Defendant-Appellee.

No. 18-16725

D.C. No. 2:14-cv-00635-KJM-AC

MEMORANDUM\*

Appeal from the United States District Court  
for the Eastern District of California  
Kimberly J. Mueller, District Judge, Presiding

Submitted March 12, 2019\*\*

Before: LEAVY, BEA, and N.R. SMITH, Circuit Judges.

Doyle Dean Hartline appeals pro se from the district court's judgment dismissing his action alleging federal and state law claims. We review for an abuse of discretion a district court's dismissal as a sanction under Federal Rule of Civil Procedure 37(b). *Malone v. United States Postal Serv.*, 833 F.2d 128, 130

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\* 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).

(9th Cir. 1987). We affirm.

The district court did not abuse its discretion by dismissing Hartline's action because Hartline failed to produce documents in compliance with the district court's discovery order despite receiving multiple extensions of time to respond to discovery requests and being warned that noncompliance could result in dismissal. *See id.* at 130-32 (setting forth factors to be considered before dismissing under Rule 37(b)).

**AFFIRMED<sup>1</sup>.**

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<sup>1</sup> In making this decision, we reviewed Docket Entry Nos. 9 and 10.