

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAY 30 2019

FOR THE NINTH CIRCUIT

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

DANA GRAY, AKA Dana Sue Gray,

No. 18-16787

Plaintiff-Appellant,

D.C. No. 1:13-cv-01473-DAD-  
GSA

v.

V. ROMERO, Dr.; et al.,

MEMORANDUM\*

Defendants-Appellees.

Appeal from the United States District Court  
for the Eastern District of California  
Dale A. Drozd, District Judge, Presiding

Submitted May 21, 2019\*\*

Before: THOMAS, Chief Judge, FRIEDLAND and BENNETT, Circuit Judges.

California state prisoner Dana Gray, AKA Dana Sue Gray, appeals pro se from the district court's judgment dismissing for failure to comply with a court order her 42 U.S.C. § 1983 action alleging federal and state law claims arising out of her medical treatment. We have jurisdiction under 28 U.S.C. § 1291. We

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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).

review for an abuse of discretion. *Pagtalunan v. Galaza*, 291 F.3d 639, 640 (9th Cir. 2002). We affirm.

The district court did not abuse its discretion by dismissing Gray's action after Gray failed to comply with the district court's orders directing her to cease filing frivolous motions and other requests. *See Ferdik v. Bonzelet*, 963 F.2d 1258, 1260-61 (9th Cir. 1992) (discussing factors to be considered before dismissing a case for failure to comply with a court order and stating that a district court's dismissal should not be disturbed absent "a definite and firm conviction" that it "committed a clear error of judgment" (citations and internal quotation marks omitted)).

Gray's motion for appointment of counsel (Docket Entry No. 30) is denied.

**AFFIRMED.**