

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

DEC 17 2019

FOR THE NINTH CIRCUIT

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

JAMAL DAMON HENDRIX, AKA Jamar
Hendrix,

Plaintiff-Appellant,

v.

ROMEO ARANAS; et al.,

Defendants-Appellees,

and

STATE OF NEVADA; et al.,

Defendants.

No. 18-17186

D.C. No. 3:15-cv-00155-MMD-
WGC

MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
Miranda M. Du, District Judge, Presiding

Submitted December 11, 2019**

Before: WALLACE, CANBY, and TASHIMA, Circuit Judges.

Jamal Damon Hendrix AKA Jamar Hendrix, a Nevada state prisoner,

* 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).

appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action as a sanction for failure to attend a settlement conference. We review for an abuse of discretion a dismissal for failure to comply with a court order under Federal Rule of Civil Procedure 41(b). *Yourish v. California Amplifier*, 191 F.3d 983, 986 (9th Cir. 1999). We affirm.

The district court did not abuse its discretion by dismissing Hendrix's action. Hendrix failed to attend a settlement conference, and after warning Hendrix it was considering a dismissal sanction, the district court considered written submissions, held a hearing, and found that Hendrix's reasons for failure to attend were not credible. *See Ferdik v. Bonzelet*, 963 F.2d 1258, 1260-61 (9th Cir. 1992) (setting forth factors for determining whether an action should be dismissed as a sanction for failure to comply with a court order); *Thompson v. Hous. Auth. of L.A.*, 782 F.2d 829, 831 (9th Cir. 1986) ("We have repeatedly upheld the imposition of the sanction of dismissal for failure to comply with pretrial procedures mandated by local rules and court orders.").

AFFIRMED.