

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

FEB 27 2019

FOR THE NINTH CIRCUIT

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

JEREMY VAUGHN PINSON,

No. 18-17189

Petitioner-Appellant,

D.C. No. 4:18-cv-00192-DCB-DTF

v.

MEMORANDUM*

UNKNOWN PARTY, named as USP
Tucson Warden,

Respondent-Appellee.

Appeal from the United States District Court
for the District of Arizona
David C. Bury, District Judge, Presiding

Submitted February 19, 2019**

Before: FERNANDEZ, SILVERMAN, and WATFORD, Circuit Judges.

Federal prisoner Jeremy Vaughan Pinson appeals pro se from the district court's judgment dismissing her 28 U.S.C. § 2241 petition for failure to comply with the court's order to file an amended petition. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

* 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).

In the opening brief, Pinson fails to address how the district court abused its discretion in dismissing her action for failure to comply with the court's order to file an amended petition. *See Pagtalunan v. Galaza*, 291 F.3d 639, 640 (9th Cir. 2002) (dismissal for failure to comply with a district court's order requiring submission of pleadings within specified time is reviewed for abuse of discretion). Accordingly, Pinson has waived her challenge to the dismissal order. *See Smith v. Marsh*, 194 F.3d 1045, 1052 (9th Cir. 1999) (“[O]n appeal, arguments not raised by a party in its opening brief are deemed waived.”).

AFFIRMED.