

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAR 19 2019

FOR THE NINTH CIRCUIT

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

PERRY JOHNSON,

Plaintiff-Appellant,

v.

SELENE FINANCE, LP; et al.,

Defendants-Appellees.

No. 18-55051

D.C. No. 8:16-cv-01085-AG-KES

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Andrew J. Guilford, District Judge, Presiding

Submitted March 12, 2019**

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

Perry Johnson appeals from the district court's order dismissing his action alleging federal and state law claims arising out of foreclosure proceedings. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion a dismissal for failing to comply with court orders, *In re Phenylpropanolamine*

* 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).

(PPA) Prods. Liab. Litig., 460 F.3d 1217, 1226 (9th Cir. 2006), and we affirm.

The district court did not abuse its discretion in dismissing Johnson's action because Johnson failed to comply with the district court's scheduling orders and the relevant factors favored dismissal. *See id.* at 1226-29 (discussing the five factors a district court must weigh in deciding whether to dismiss a case for failure to comply with a court order); *Ferdik v. Bonzelet*, 963 F.2d 1258, 1261 (9th Cir. 1992) (although preferred, the district court is not required to make explicit findings; this court may review the record independently to determine if the district court has abused its discretion).

AFFIRMED.