

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

SEP 20 2021

FOR THE NINTH CIRCUIT

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

RAYMOND ALFORD BRADFORD,

No. 20-55216

Plaintiff-Appellant,

D.C. No. 3:17-cv-02053-BAS-AHG

v.

MEMORANDUM\*

M. VOONG, California Department of  
Corrections and Rehabilitation, Director of  
Office of Appeal; et al.,

Defendants-Appellees.

Appeal from the United States District Court  
for the Southern District of California  
Cynthia A. Bashant, District Judge, Presiding

Submitted September 14, 2021\*\*

Before: PAEZ, NGUYEN, and OWENS, Circuit Judges.

California state prisoner Raymond Alford Bradford appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action alleging various federal and state law claims. 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).

affirm.

Contrary to Bradford’s contention, the determination that Bradford has satisfied the “imminent danger” exception under 28 U.S.C. § 1915(g) does not imply that the action itself has merit. *See Andrews v. Cervantes*, 493 F.3d 1047, 1055 (9th Cir. 2007) (noting that “§ 1915(g) concerns only a threshold procedural question—whether a filing fee must be paid upfront or later” and that “§ 1915(g) is not a vehicle for determining the merits of a claim” (internal quotation marks omitted)).

We reject as unsupported by the record Bradford’s contentions that the district court encouraged defendants to file motions to dismiss and improperly screened his complaints.

We do not consider matters not specifically and distinctly raised and argued in the opening brief, or arguments and allegations raised for the first time on appeal. *See Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009).

All pending motions and requests are denied.

**AFFIRMED.**