

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAR 28 2024

FOR THE NINTH CIRCUIT

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

BRYCE JACKSON,

Plaintiff-Appellant,

v.

CATHY GORTON; GREG MANSOFF;
MULTNOMAH COUNTY,

Defendants-Appellees.

No. 22-35771

D.C. No. 3:19-cv-00427-YY

MEMORANDUM*

Appeal from the United States District Court
for the District of Oregon
Marco A. Hernandez, District Judge, Presiding

Submitted March 26, 2024**

Before: TASHIMA, SILVERMAN, and KOH, Circuit Judges.

Washington state prisoner Bryce Jackson appeals pro se from the district court's summary judgment in his 42 U.S.C. § 1983 action alleging excessive force and other constitutional claims. We have jurisdiction under 28 U.S.C. § 1291. We review de novo cross-motions for summary judgment. *Hamby v. Hammond*, 821

* 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).

F.3d 1085, 1090 (9th Cir. 2016). We affirm.

The district court properly granted summary judgment for defendants on Jackson’s excessive force claim because Jackson failed to raise a genuine dispute of material fact as to whether defendants used excessive force in restraining Jackson after Jackson refused to comply with orders to be handcuffed and removed from his cell. *See Hughes v. Rodriguez*, 31 F.4th 1211, 1221 (9th Cir. 2022) (listing factors used to determine whether “the use of force was malicious and sadistic” in Eighth Amendment excessive force cases).

All pending motions and requests are denied.

AFFIRMED.