

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

FEB 24 2023

FOR THE NINTH CIRCUIT

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

DAWN WENTWORTH,

Plaintiff-Appellant,

and

JOURNEE HUDSON; YAW APPIAH,

Plaintiffs,

v.

MISSION VISTA HIGH SCHOOL &  
PERSONNEL; VISTA INNOVATION &  
DESIGN ACADEMY & PERSONNEL;  
VISTA UNIFIED SCHOOL DISTRICT  
BOARD & PERSONNEL; CALIFORNIA  
STATE BOARD OF EDUCATION &  
PERSONNEL; STATE BOARD OF  
EDUCATION & PERSONNEL; US  
DEPARTMENT OF EDUCATION &  
PERSONNEL; OCEANSIDE POLICE  
DEPT & PERSONNEL; SAN DIEGO  
COUNTY SHERIFF'S DEPT &  
PERSONNEL; AM PM AFTERSCHOOL  
PROGRAM & PERSONNEL; KKK; KU  
KLUX KLAN; UZI; VISTA UNIFIED  
SCHOOL DISTRICT BOARD OF  
TRUSTEES; ROSEMARY SMITHFIELD;  
CIPRIANO VARGAS; DEBBIE MORTON;

No. 22-55566

D.C. No. 3:21-cv-00757-BAS-AGS

MEMORANDUM\*

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\* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

MARTHA ALVARADO; JULIE KELLY;  
OCEANSIDE POLICE DEPARTMENT;  
DAVID B. NORRIS; EMMA LARSEN;  
JOSEPH ARMENTA; KIMBERLY  
KRIEDEMANN; MICHELLE WALSH;  
ELIZABETH CLARK; SYLVIA BROWN;  
MISSION VISTA PROXY; 9TH DISTRICT  
PTA; NICOLE ALLARD; RACHEL  
DAMBROSO; SCHOOL COUNSELOR;  
SAN DIEGO SHERIFF'S DEPARTMENT;  
SAN DIEGO COUNTY SHERIFF'S  
DEPARTMENT; VISTA UNIFIED  
SCHOOL DISTRICT; U.S. DEPARTMENT  
OF EDUCATION; HELENA ZEROSKI;  
ERIC CHAGALA, Dr.; PEPPARD,  
female/mother; PEPPARD, male/father;  
MISSION VISTA HIGH SCHOOL,

Defendants-Appellees.

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

Submitted February 14, 2023\*\*

Before: FERNANDEZ, FRIEDLAND, and H.A. THOMAS, Circuit Judges.

Dawn Wentworth appeals pro se from the district court's order declaring her a vexatious litigant and entering a pre-filing review order against her. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion. *Molski*

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\*\* The panel unanimously concludes this case is suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

*v. Evergreen Dynasty Corp.*, 500 F.3d 1047, 1056 (9th Cir. 2007). We affirm.

The district court did not abuse its discretion in declaring Wentworth to be a vexatious litigant and entering a pre-filing review order against her after providing notice and an opportunity to be heard, developing an adequate record for review, making substantive findings as to frivolousness, and narrowly tailoring the order to prevent abusive litigation conduct. *See Ringgold-Lockhart v. County of Los Angeles*, 761 F.3d 1057, 1062 (9th Cir. 2014) (setting forth the requirements the district court must consider before imposing pre-filing restrictions).

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 are denied.

**AFFIRMED.**