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CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

DIANNE NELSON,

Plaintiff - Appellant,

v.

PLACER COUNTY; et al.,

Defendants - Appellees.

No. 07-15037

D.C. No. CV-04-01103-DFL

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
David F. Levi, District Judge, Presiding

Submitted November 13, 2007**

Before: McKEOWN, TALLMAN and CLIFTON, Circuit Judges.

Appellant Dianne Nelson appeals the district court's judgment and order dismissing her second amended complaint with prejudice for failure to prosecute this action. This court reviews the district court's orders for abuse of discretion,

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

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

07-15037

and we affirm. *See, e.g., Valley Eng'rs, Inc. v. Electric Eng'g Co.*, 158 F.3d 1051, 1052 (9th Cir. 1998).

Our review of the record and of appellant's response to this court's order to show cause indicates that the questions raised in this appeal are so insubstantial as not to require further argument. *See Valley Eng'rs, Inc. v. Electric Eng'g Co.*, 158 F.3d at 1052; *United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard).

Accordingly, we summarily affirm the district court's judgment.

All pending motions are denied as moot.

AFFIRMED.