

FILED

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NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

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

FOR THE NINTH CIRCUIT

LORETTA GREER,

Plaintiff - Appellant,

v.

DORA B. SCHRIRO, Director; et al.,

Defendants - Appellees.

No. 06-15537

D.C. No. CV-05-04245-JAT

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
James A. Teilborg, District Judge, Presiding

Submitted November 13, 2007**

Before: TROTT, W. FLETCHER, and CALLAHAN, Circuit Judges.

Arizona state prisoner Loretta Greer appeals pro se from the district court's judgment dismissing her 42 U.S.C. § 1983 as a sanction for misrepresentations in her complaint and her application to proceed in forma pauperis. We have

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

** Because the panel unanimously finds this case suitable for decision without oral argument, Greer's request for oral argument is denied. *See* Fed. R. App. P. 34(a)(2).

jurisdiction under 28 U.S.C. § 1291. We review for abuse of discretion a dismissal pursuant to the district court's inherent power, *Leon v. IDX Sys. Corp.* 464 F.3d 951, 958 (9th Cir. 2006), and we affirm.

The district court did not abuse its discretion in dismissing Greer's action, because she failed to adequately explain misrepresentations, made under penalty of perjury, about her previous litigation history. *See id.* at 961 ("We do not disturb the district court's choice of sanction unless we have a definite and firm conviction that the district court committed a clear error of judgment . . .") (internal citations and quotations omitted); *see also Anheuser-Busch, Inc. v. Natural Beverage Distribs.*, 69 F.3d 337, 348 (9th Cir. 1995) (district court's credibility determinations are entitled to special deference).

AFFIRMED.