

MAR 09 2009

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>CASIANO N. ALFORQUE,</p> <p>Plaintiff - Appellant,</p> <p>v.</p> <p>MARTIN COUNTY, TEXAS,</p> <p>Defendant - Appellee.</p>

No. 08-56836

D.C. No. 3:08-cv-00613-WQH-WMC

MEMORANDUM*

Appeal from the United States District Court
for the Southern District of California
William Q. Hayes, District Judge, Presiding

Submitted February 23, 2009**

Before: KOZINSKI, Chief Judge, HAWKINS and GOULD, Circuit Judges.

Upon review of the record and appellant's response to this court's December 11, 2008 order to show cause, this court hereby summarily affirms the district

* 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).

court's final judgment. *See United States v. Hooton*, 693 F.2d 857 (9th Cir. 1982) (per curiam) (summary affirmance appropriate where result is clear from face of record).

AFFIRMED.