

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

JUL 27 2009

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

JAMES M. FRIERY,

Plaintiff - Appellant,

v.

LOS ANGELES UNIFIED SCHOOL
DISTRICT; et al.,

Defendants - Appellees,

and

OFFICE OF CIVIL RIGHTS; et al.,

Defendants.

No. 01-56016

D.C. No. CV-00-06536-NM/SH

ORDER*

Appeal from the United States District Court
for the Central District of California
Nora M. Manella, District Judge, Presiding

Argued and Submitted April 6, 2006
Pasadena, California

Before: O'SCANNLAIN, RYMER and THOMAS, Circuit Judges.

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

On June 9, 2009, the appellant was ordered within 21 days to move for a voluntary dismissal or show cause why this appeal should not be dismissed for mootness or lack of jurisdiction. Because the 21 days have expired without any response from the appellant, we DISMISS the appeal for failure to prosecute pursuant to 9th Cir. R. 42-1.