

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

Saunders v. Knight

343 F. App'x 191 (9th Cir. 2009) · Decided August 17, 2009

SUMMARY

The Ninth Circuit affirmed summary judgment for defendants in Sharon Saunders’s pro se 42 U.S.C. § 1983 action arising from her arrest, search, and involvement in a suspected endless chain scheme. The court held that the district court did not abuse its discretion in denying extensions of discovery deadlines and reconsideration, declined to consider abandoned issues, denied requests for judicial notice, and granted an unopposed motion to file a supplemental opening brief.

CASE DETAILS

COURT	United States Court of Appeals for the Ninth Circuit
WRITING FOR THE COURT	Ikuta; Kleinfeld; Smith
JURISDICTION	Federal
DECIDED	August 17, 2009
DISPOSITION	affirmed
PROCEDURAL POSTURE	Sharon Saunders appealed from the district court's grant of summary judgment for defendants in her 42 U.S.C. § 1983 action and from orders denying motions to extend discovery deadlines, reconsider the judgment, and take judicial notice.
STANDARD OF REVIEW	De novo review of the summary judgment decision; abuse-of-discretion review of the denial of procedural motions.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Sharon Saunders v. Knight, Defendants

TOPICS

[section 1983](#) [civil rights](#) [summary judgment](#) [appellate procedure](#) [standard of review](#)

PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether the district court properly granted summary judgment to defendants in Saunders's § 1983 action arising from her arrest, search, and activities involving a suspected endless chain scheme.
2. Whether the district court abused its discretion by denying Saunders's motions to extend discovery deadlines and to reconsider the judgment under Federal Rule of Civil Procedure 59(e).
3. Whether the appellate court should consider issues Saunders abandoned on appeal or grant her requests for judicial notice.
4. Whether Saunders should be permitted to file a supplemental opening brief.

HOLDINGS

1. The district court's grant of summary judgment for defendants was affirmed for the reasons stated in the district court's order.
2. The district court did not abuse its discretion in denying Saunders's motions to extend discovery deadlines and to reconsider the judgment because she failed to show good cause.
3. Issues abandoned by Saunders on appeal were not considered.
4. Saunders's requests for judicial notice were denied.

KEY QUOTATIONS

“This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.” (343 F. App'x at 192)

FACTUAL BACKGROUND

Saunders's § 1983 action arose from her arrest, a search, and activities involving a suspected endless chain scheme. The district court granted defendants summary judgment. Saunders also sought extensions of discovery deadlines, reconsideration of the judgment, and judicial notice.

PROCEDURAL HISTORY

The district court entered summary judgment for defendants on November 13, 2007. Saunders appealed, challenging the judgment and related procedural rulings. The Ninth Circuit affirmed, denied her requests for judicial notice, and granted her unopposed motion to file a supplemental opening brief.

DISPOSITION

affirmed

CASES CITED

- Oliver v. Keller, 289 F.3d 623, 626 (9th Cir. 2002)
- Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 608 (9th Cir. 1992)
- Sch. Dist. No. 1J, Multnomah County, Or. v. ACandS, Inc., 5 F.3d 1255, 1263 (9th Cir. 1993)
- Cook v. Schriro, 538 F.3d 1000, 1014 n. 5 (9th Cir. 2008)

- Ruiz v. City of Santa Maria, 160 F.3d 543, 548 n. 13 (9th Cir. 1998)

OPINION

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PER CURIAM.

MEMORANDUM **

Sharon Saunders appeals pro se from the district court's summary judgment for defendants in her 42 U.S.C. § 1983 action arising from her arrest, search and activities in a suspected endless chain scheme. We have jurisdiction pursuant to 28 U.S.C. § 1291. We review de novo. *Oliver v. Keller*, 289 F.3d 623, 626 (9th Cir.2002). We affirm for the reasons stated in the *192district court's order granting summary judgment, entered on November 13, 2007, 2007 WL 3482047. Contrary to Saunders's contentions, the district court did not abuse its discretion by denying her motions to extend discovery deadlines and to reconsider the judgment under Fed.R.Civ.P. 59(e) because Saunders failed to show good cause. See *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 608 (9th Cir.1992) (requiring moving party to demonstrate "good cause" to modify pretrial scheduling order); *Sch. Dist. No. 1J, Multnomah County, Or. v. ACandS, Inc.*, 5 F.3d 1255, 1263 (9th Cir. 1993) (describing requirements for reconsideration under Rule 59(e)). We do not consider issues abandoned by Saunders on appeal. See *Cook v. Schriro*, 538 F.3d 1000, 1014 n. 5 (9th Cir.2008) (explaining that issues not raised on appeal are deemed abandoned). Saunders's requests for judicial notice are denied. See *Ruiz v. City of Santa Maria*, 160 F.3d 543, 548 n. 13 (9th Cir. 1998) (declining to take judicial notice of facts not relevant to the resolution of the appeal). Saunders's unopposed motion to file a supplemental opening brief is granted. The Clerk shall file the supplemental opening brief received on April 22, 2008. AFFIRMED. This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.