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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>SHARON ANN VIRGILLO,</p> <p>Plaintiff - Appellant,</p> <p>v.</p> <p>REID REALTY INC; et al.,</p> <p>Defendants - Appellees.</p>
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No. 08-35007

D.C. No. CV-06-05615-FDB

MEMORANDUM*

Appeal from the United States District Court
for the Western District of Washington
Franklin D. Burgess, District Judge, Presiding

Submitted June 16, 2009**

Before: PAEZ, TALLMAN, and N.R. SMITH, Circuit Judges.

Sharon Ann Virgillo appeals pro se from the district court's summary judgment for defendants in her action alleging discrimination under the Fair Housing Act (FHA). We have jurisdiction pursuant to 28 U.S.C. § 1291. We

* 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).

review de novo, *Harris v. Itzhaki*, 183 F.3d 1043, 1050 (9th Cir. 1999), and we affirm.

The district court properly granted summary judgment because Virgillo failed to raise a triable issue as to whether she timely filed her action within two years of the last possible discriminatory act. *See Garcia v. Brockway*, 526 F.3d 456, 460-61, 466 (9th Cir. 2008) (en banc) (affirming dismissal of FHA claims as untimely filed).

AFFIRMED.