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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>CYRUS YOO KIM,</p> <p style="text-align: center;">Plaintiff - Appellant,</p> <p>v.</p> <p>TARGA REAL ESTATE SERVICE, INC; et al.,</p> <p style="text-align: center;">Defendants - Appellees.</p>
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No. 09-35054

D.C. No. 2:08-cv-01617-JLR

MEMORANDUM \*

Appeal from the United States District Court  
for the Western District of Washington  
James L. Robart, District Judge, Presiding

Submitted August 11, 2009\*\*

Before: KLEINFELD, M. SMITH, and IKUTA, Circuit Judges.

Cyrus Yoo Kim appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action challenging the impounding of his car. We have

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\* 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).

jurisdiction under 28 U.S.C. § 1291. We review de novo. *Canatella v. Van De Kamp*, 486 F.3d 1128, 1132 (9th Cir. 2007). We affirm.

The district court properly dismissed Kim’s action because it was filed well after the applicable three-year statute of limitations had expired. *See Bagley v. CMC Real Estate Corp.*, 923 F.2d 758, 760 (9th Cir. 1991) (explaining that the statute of limitations for a § 1983 action filed in Washington “is the three-year limitation of Wash. Rev. Code § 4.16.080(2)”).

The district court did not abuse its discretion by denying Kim’s motion for reconsideration because Kim did not identify any new evidence, change in law, clear error, or manifest injustice. *See Sch. Dist. No. 1J, Multnomah County, Or. v. ACandS, Inc.*, 5 F.3d 1255, 1262-63 (9th Cir. 1993) (reviewing district court’s denial of a motion to reconsider for an abuse of discretion and setting forth requirements for reconsideration).

**AFFIRMED.**