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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

HASAN CARTER, by his guardian,
Yasmean Stewart; et al.,

Plaintiffs - Appellants,

v.

CHRISTINE GREGOIRE, in her official
capacity as Governor of the State of
Washington; et al.,

Defendants - Appellees.

No. 09-35755

D.C. No. 3:09-cv-05393-BHS

MEMORANDUM*

Appeal from the United States District Court
for the Western District of Washington
Benjamin H. Settle, District Judge, Presiding

Submitted January 19, 2010**

Before: SILVERMAN, PAEZ and BEA, Circuit Judges.

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

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Appellants appeal the district court's denial of their request for preliminary injunctive relief against appellee government officials. We have jurisdiction under 28 U.S.C. § 1292(a)(1), and we affirm.

We express no view on the merits of the complaint. Our sole inquiry is whether the district court abused its discretion in denying preliminary injunctive relief. *The Lands Council v. McNair*, 537 F.3d 981, 986 (9th Cir. 2008); *see Winter v. Natural Resources Defense Council*, 129 S. Ct. 365, 374 (2008) (listing factors for district court to consider); *Sports Form, Inc.*, 686 F.2d 750, 752-53 (9th Cir. 1982) (explaining limited scope of review). We conclude the district court did not abuse its discretion. Accordingly, we affirm the district court's order denying the preliminary injunction.

Appellants' opposed motion to supplement the record is denied.

AFFIRMED.