

JAN 25 2010

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>CARLOTTA L. SMITH,</p> <p>Plaintiff - Appellant,</p> <p>v.</p> <p>NEW WEST STATIONS, INC.,</p> <p>Defendant - Appellee.</p>
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No. 08-15500

D.C. No. 2:03-CV-00672-FCD-DAD

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Frank C. Damrell, Jr., District Judge

Submitted January 11, 2010**

Before: BEEZER, TROTT, and BYBEE, Circuit Judges.

Carlotta L. Smith appeals pro se from the district court's Rule 52(c) judgment on partial findings in her Title VII action alleging unlawful retaliation.

We have jurisdiction pursuant to 28 U.S.C. § 1291. We review the district court's

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

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

factual findings for clear error. *Golden v. Local 55, of the Int'l Ass'n of Firefighters*, 633 F.2d 817, 820 (9th Cir. 1980). We affirm.

Substantial evidence supports the district court's determination that Smith failed to prove that she was fired in retaliation for opposing race discrimination. *See id.* at 822.

Smith's remaining contentions are not persuasive.

AFFIRMED.