

OCT 06 2010

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

TAMMY BERDEAUX,

Plaintiff - Appellant,

v.

SUSAN MANNING, Instructor for the
University of Wisconsin-Stout in her
official and individual capacity; NATHAN
KIRKMAN, Judicial Officer for
University of Wisconsin-Stout in his
official and individual capacity,

Defendants - Appellees.

No. 09-15533

D.C. No. 2:08-cv-00554-JWS

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
John W. Sedwick, District Judge, Presiding

Submitted September 13, 2010**

Before: SILVERMAN, CALLAHAN, and N.R. SMITH, Circuit Judges.

Tammy Berdeaux appeals pro se from the district court's judgment

* 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).

dismissing for lack of jurisdiction her action arising from her participation in a Masters in Education program through the University of Wisconsin-Stout. We have jurisdiction under 28 U.S.C. § 1291. We review de novo, *Pebble Beach Co. v. Caddy*, 453 F.3d 1151, 1154 (9th Cir. 2006), and we affirm.

The district court properly dismissed the action because Berdeaux failed to establish that the court had personal jurisdiction over defendants. *See Schwarzenegger v. Fred Martin Motor Co.*, 374 F.3d 797, 800, 802-03 (9th Cir. 2004) (stating that “the plaintiff bears the burden of demonstrating that jurisdiction is appropriate,” and setting forth test for specific personal jurisdiction).

AFFIRMED.