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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>MAI-TRANG THI NGUYEN,</p> <p>Plaintiff - Appellant,</p> <p>v.</p> <p>STARBUCKS COFFEE CORPORATION,</p> <p>Defendant - Appellee.</p>
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No. 09-17793

D.C. No. 3:08-cv-03354-CRB

MEMORANDUM*

Appeal from the United States District Court
for the Northern District of California
Charles R. Breyer, District Judge, Presiding

Submitted February 15, 2011**

Before: CANBY, FERNANDEZ, and M. SMITH, Circuit Judges.

Mai-Trang Thi Nguyen appeals pro se from the district court’s summary judgment in her employment action. We have jurisdiction under 28 U.S.C. § 1291.

We review de novo, *Bias v. Moynihan*, 508 F.3d 1212, 1218 (9th Cir. 2007), and

* 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).

we affirm.

The district court properly granted summary judgment because Nguyen did not present any relevant evidence in opposition to summary judgment, and thus, failed to demonstrate that there were any genuine issues of material fact as to her claims. *See id.* at 1218-19 (noting that even for pro se litigants, “[a] district court does not have a duty to search for evidence that would create a factual dispute”).

Nguyen’s remaining contentions are unpersuasive.

We do not consider Nguyen’s contentions raised for the first time on appeal. *See Travelers Prop. Cas. Co. of Am. v. ConocoPhillips Co.*, 546 F.3d 1142, 1146 (9th Cir. 2008).

AFFIRMED.