

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

APR 12 2011

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

FRANCIS GRANDINETTI,

Plaintiff - Appellant,

v.

FTC SEG. UNIT STAFF; et al.,

Defendants - Appellees.

No. 07-16339

D.C. No. CV-07-00821-PHX-  
MHM

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Arizona  
Mary H. Murguia, District Judge, Presiding

Submitted April 5, 2011\*\*

Before: B. FLETCHER, CLIFTON, and BEA, Circuit Judges.

Francis Grandinetti, an Arizona state prisoner, appeals pro se from the district court's judgment dismissing, under the "three strikes" provision of 28 U.S.C. § 1915(g), his 42 U.S.C. § 1983 action alleging constitutional violations.

We have jurisdiction under 28 U.S.C. § 1291. We review de novo a dismissal

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

under 28 U.S.C. § 1915(g). *Andrews v. King*, 398 F.3d 1113, 1118 (9th Cir. 2005).

We affirm.

Grandinetti has waived any issue on appeal by failing to make any arguments in his opening brief. *See Indep. Towers of Wash. v. Washington*, 350 F.3d 925, 929 (9th Cir. 2003) (“[W]e will not consider any claims that were not actually argued in appellant’s opening brief.”).

Grandinetti’s requests set forth in letters submitted March 13, 2009 and June 12, 2009 are denied.

**AFFIRMED.**