

JUL 6 2011

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ORVILLE MEAUX,

Plaintiff - Appellant,

v.

NORTHWEST AIRLINES, INC., a
Delaware corporation; et al.,

Defendants - Appellees.

No. 09-17560

D.C. No. 4:09-cv-02447-CW

MEMORANDUM*

Appeal from the United States District Court
for the Northern District of California
Claudia Wilken, District Judge, Presiding

Submitted June 15, 2011**

Before: CANBY, O'SCANLAIN, and FISHER, Circuit Judges.

Orville Meaux appeals from the district court's judgment dismissing his complaint against Northwest Airlines, Inc. as barred by the bankruptcy discharge injunction issued in Northwest's bankruptcy proceedings. We have jurisdiction

* 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. § 1291, and we affirm.

Meaux does not challenge the district court's order dismissing his complaint against Northwest, and thus has abandoned any challenge to the dismissal. *See Cook v. Schriro*, 538 F.3d 1000, 1014 n.5 (9th Cir. 2008) (issues not raised on appeal are deemed abandoned).

We do not consider Meaux's contention that the district court should have treated his Railway Labor Act claim against Northwest as an amendment to the complaint in his 2004 action against Northwest, because Meaux did not raise the argument in the district court and consideration is not "necessary to prevent a miscarriage of justice or to preserve the integrity of the judicial process." *Alaska v. United States*, 201 F.3d 1154, 1163-64 (9th Cir. 2000) (citation omitted).

Meaux's request for judicial notice is granted in part as to Exhibits 1, 2, and 5. The request is otherwise denied.

AFFIRMED.