

JAN 25 2012

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

LARRY SYNCLAIR, Sr., individually and
as a parent of Larry Synclair, Jr., a minor,

Plaintiff - Appellant,

v.

COUNTY OF FRESNO; et al.,

Defendants - Appellees.

No. 10-16225

D.C. No. 1:01-cv-06546-AWI-
DLB

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Anthony W. Ishii, Chief Judge, Presiding

Submitted January 17, 2012**

Before: LEAVY, TALLMAN, and CALLAHAN, Circuit Judges.

Larry Synclair, Sr., appeals pro se from the district court’s order denying his motion for reconsideration of the clerk’s taxation of costs against him. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion the

* 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).

district court's denial of a motion for reconsideration, *Sch. Dist. No. 1J, Multnomah Cnty., Or. v. ACandS, Inc.*, 5 F.3d 1255, 1262 (9th Cir. 1993), and we affirm.

The district court did not abuse its discretion by denying Synclair's motion for reconsideration of the clerk's cost award because Synclair identified no proper ground for such relief. *See id.* at 1263 (setting forth grounds for reconsideration under Fed. R. Civ. P. 60); *see also* Fed. R. Civ. P. 54(d)(1) (requiring that a party file a motion challenging the clerk's cost award within seven days); *Walker v. California*, 200 F.3d 624, 625-26 (9th Cir. 1999) (per curiam) (a party waives the right to challenge a cost award if the party does not file a motion for review of the award within the time period specified in Rule 54(d)(1)).

We are not persuaded by Synclair's contention that he, rather than his attorney of record, should have been served with the clerk's cost award, because neither a substitution of attorney nor a change of address was filed before the award. *See* E.D. Cal. R. 182(d), (f) (attorney withdrawals and address changes).

Synclair's "Motion to Include Addendum to Informal Opening Brief," filed on January 4, 2011, is denied because the proposed addendum is irrelevant to the disposition of this appeal.

AFFIRMED.