

JUL 20 2012

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>RAY WALES,</p> <p>Plaintiff - Appellant,</p> <p>v.</p> <p>CHRISTOPHER AGUIRRE; et al.,</p> <p>Defendants - Appellees.</p>
--

No. 11-35293

D.C. No. 3:09-cv-00247-RRB

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Alaska  
Ralph R. Beistline, Chief Judge, Presiding

Submitted July 17, 2012\*\*

Before: SCHROEDER, THOMAS, and SILVERMAN, Circuit Judges.

Alaska state prisoner Ray Wales appeals pro se from the district court’s denial of his motion for relief from its earlier summary judgment in his 42 U.S.C. § 1983 suit. We have jurisdiction under 28 U.S.C. § 1291. We review for an

---

\* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

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

abuse of discretion the district court's denial of a motion brought pursuant to Federal Rule of Civil Procedure 60(b)(6). *Latshaw v. Trainer Wortham & Co.*, 452 F.3d 1097, 1100 (9th Cir. 2006). We affirm.

Because Wales has not identified any specific challenge to the district court's grant of summary judgment, we do not consider the merits on appeal. *See Pierce v. Multnomah County, Oregon*, 76 F.3d 1032, 1037 n.3 (9th Cir. 1996) (issues generally limited to those appellant raises in opening brief).

The district court did not abuse its discretion by denying Wales' Rule 60(b) motion for relief from judgment because Wales failed to establish grounds for relief. *See Latshaw*, 452 F.3d at 1100 (allowing reversal of a Rule 60(b) order only if the district court "does not apply the correct law, rests its decision on a clearly erroneous finding of a material fact, or applies the correct legal standard in a manner that results in an abuse of discretion" (citation and internal quotation marks omitted)).

Wales' remaining arguments are unpersuasive.

**AFFIRMED.**