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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>KENNETH C. McKNIGHT,</p> <p>Plaintiff - Appellant,</p> <p>v.</p> <p>JORGA POWERS; et al.,</p> <p>Defendants - Appellees.</p>
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No. 12-15693

D.C. No. 3:11-cv-00028-ECR-VPC

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Nevada  
Edward C. Reed, Jr., District Judge, Presiding

Submitted February 11, 2013\*\*

Before: FERNANDEZ, TASHIMA, and WARDLAW, Circuit Judges.

Former Nevada state prisoner Kenneth C. McKnight appeals pro se from the district court’s judgment dismissing his action alleging that defendants prevented him from participating in various prison programs on the basis of his disabilities, in

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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).

violation of the Americans with Disabilities Act (“ADA”). We have jurisdiction under 28 U.S.C. § 1291. We review de novo a dismissal for failure to exhaust administrative remedies. *Wyatt v. Terhune*, 315 F.3d 1108, 1117 (9th Cir. 2003). We affirm.

The district court properly dismissed McKnight’s first, third, fourth, and seventh claims without prejudice because McKnight failed properly to exhaust his administrative remedies before filing suit. *See Woodford v. Ngo*, 548 U.S. 81, 85, 93-95 (2006) (holding that “proper exhaustion” is mandatory and requires adherence to administrative procedural rules); *see also O’Guinn v. Lovelock Corr. Ctr.*, 502 F.3d 1056, 1060-61 (9th Cir. 2007) (a prisoner must exhaust administrative remedies for ADA claims).

We do not consider McKnight’s other claims because McKnight has not adequately raised them on appeal. *See Wilcox v. Comm’r*, 848 F.2d 1007, 1008 n.2 (9th Cir. 1988) (arguments not raised on appeal by pro se litigant deemed abandoned); *see also Am. Int’l Enters., Inc. v. FDIC*, 3 F.3d 1263, 1266 n.5 (9th Cir. 1993) (issues unsupported by argument are waived).

To the extent that it requests relief, McKnight’s “notice of conflicting case numbers,” filed on April 16, 2012, is denied.

**AFFIRMED.**