

FEB 28 2014

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

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| <p>REGINALD BLOUNT,</p> <p>Plaintiff - Appellant,</p> <p>v.</p> <p>SACRAMENTO COUNTY SUPERIOR COURT; JUDGE GILLARD,</p> <p>Defendants - Appellees.</p> |
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No. 13-15879

D.C. No. 2:12-cv-02941-LKK

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Lawrence K. Karlton, District Judge, Presiding

Submitted February 18, 2014**

Before: ALARCÓN, O’SCANNLAIN, and FERNANDEZ, Circuit Judges.

California state prisoner Reginald Blount appeals pro se from the district court’s judgment dismissing his 42 U.S.C. § 1983 action alleging that defendants violated his constitution rights in connection with his state court sentences. We have jurisdiction under 28 U.S.C. § 1291. We review de novo a district court’s

* 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).

dismissal under 28 U.S.C. § 1915A. *Resnick v. Hayes*, 213 F.3d 443, 447 (9th Cir. 2000). We may affirm on any ground supported by the record. *Johnson v. Riverside Healthcare Sys., LP*, 534 F.3d 1116, 1121 (9th Cir. 2008). We affirm.

The district court properly dismissed Blount’s claims against Judge Gillard on the basis of judicial immunity. *See Simmons v. Sacramento Cnty. Superior Court*, 318 F.3d 1156, 1161 (9th Cir. 2003) (judges are absolutely immune for their judicial acts).

Dismissal of Blount’s claims against the Sacramento County Superior Court was proper because the court is entitled to immunity under the Eleventh Amendment. *See Montana v. Goldin (In re Pegasus Gold Corp.)*, 394 F.3d 1189, 1195 (9th Cir. 2005) (absent waiver, the Eleventh Amendment immunizes state and its agencies from private actions in federal court); *Franceschi v. Schwartz*, 57 F.3d 828, 831 (9th Cir. 1995) (per curiam) (California state court is an “arm of the state” entitled to Eleventh Amendment immunity).

We do not consider matters not specifically and distinctly raised and argued in the opening brief, or arguments and allegations raised for the first time on appeal. *See Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009) (per curiam).

We deny Blount’s request for attorney’s fees.

AFFIRMED.