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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

HELEN E. RYAN and MYKAL S.  
RYAN, Special Administrator for the  
Estate of John James Ryan,

Plaintiffs - Appellants,

v.

TIMOTHY M. HYDEN, a California  
resident and as Trustee of the John and  
Christy Ryan Family Trust; et al.,

Defendants - Appellees.

No. 12-56908

D.C. No. 3:12-CV-01489-MMA-  
BLM

MEMORANDUM\*

Appeal from the United States District Court  
for the Southern District of California  
Michael M. Anello, District Judge, Presiding

Submitted May 1, 2014\*\*

Before: D.W. NELSON, LEAVY, and THOMAS, Circuit Judges.

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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).

Helen E. Ryan appeals from the district court's judgment dismissing all claims against all parties. Mykal S. Ryan, special administrator for the estate of John James Ryan, purports to appeal from the same judgment dismissing the action of plaintiff John James Ryan, who was deceased at the time the complaint was filed. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

We review a dismissal for failure to comply with a vexatious litigant order for abuse of discretion. *In re Fillbach*, 223 F.3d 1089, 1090 (9th Cir. 2000). Here, the district court properly dismissed this case because it was filed in violation of a vexatious litigant order entered against Mykal Ryan. The defendants and subject matter of this case fall squarely within the terms of the order. Although Mykal S. Ryan is not a plaintiff, the record supports the district court's conclusion that he is the individual litigating this action which he filed without obtaining court approval.

“Rulings on motions for recusal are reviewed under the abuse-of-discretion standard.” *United States v. McTiernan*, 695 F.3d 882, 891 (9th Cir. 2012). The district court did not abuse its discretion by denying the motion for recusal because there are no facts suggesting that the judge's impartiality might reasonably be questioned, and no showing of bias stemming from an extrajudicial source. *Mayer v. Leipziger*, 729 F. 2d 605, 607 (9th Cir. 1984).

**AFFIRMED.**