

AUG 20 2014

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

SPHEAR INVESTMENTS, LLC, a  
California Limited Liability Company,

Plaintiff - Appellee,

v.

SUNGLASS INTERNATIONAL, LLC, a  
Hawaii Limited Liability Company,

Defendant,

and

DOYLE BETSILL, an individual,

Defendant - Appellant.

No. 12-56305

D.C. No. 2:11-cv-05345-AHM-  
PLA

MEMORANDUM\*

Appeal from the United States District Court  
for the Central District of California  
A. Howard Matz, District Judge, Presiding

Submitted August 13, 2014\*\*

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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).

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

Doyle Betsill appeals pro se from the district court's summary judgment for Sphear Investments, LLC in Sphear's diversity action for breach of contract. We have jurisdiction under 28 U.S.C. § 1291. We review de novo. *Morrison v. Hall*, 261 F.3d 896, 900 (9th Cir. 2001). We affirm.

The district court properly granted summary judgment because Sphear established that there is no genuine dispute of material fact as to Betsill's liability under the lease. *See Celotex Corp. v. Catrett*, 477 U.S. 317, 325 (1986) (a party may prevail at summary judgment by showing that there is an absence of evidence supporting the nonmoving party's case).

The district court did not abuse its discretion in denying Betsill's post-judgment "Request for Order Permitting Defendant to Participate in the CM/ECF Electronic Filing System and to Receive a Log/Password for that Purpose." *See Preminger v. Peake*, 552 F.3d 757, 769 n.11 (9th Cir. 2008) (reviewing for an abuse of discretion the district court's decisions regarding management of litigation).

We reject Betsill's contentions concerning the allegedly improper service of Sphear's motion for summary judgment and the district court's failure to provide

*Rand* notice or educate Betsill about the electronic filing system.

**AFFIRMED.**