

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAR 2 2015

FOR THE NINTH CIRCUIT

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

MICHAEL A. LEON,

No. 13-16010

Plaintiff - Appellant,

D.C. No. 4:12-cv-00556-CKJ

v.

MEMORANDUM*

STATE OF ARIZONA; et al.,

Defendants - Appellees.

Appeal from the United States District Court
for the District of Arizona
Cindy K. Jorgenson, District Judge, Presiding

Submitted February 17, 2015**

Before: O'SCANNLAIN, LEAVY, and FERNANDEZ, Circuit Judges.

Michael A. Leon appeals pro se from the district court's judgment dismissing his action alleging, among other things, various federal and state law violations in connection with prior whistleblower litigation against his former employer. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion the

* 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).

district court's denial of Leon's motions to recuse the district court judge and for reconsideration. *United States v. Johnson*, 610 F.3d 1138, 1147 (9th Cir. 2010) (denial of a recusal motion); *Sch. Dist. No. 1J, Multnomah Cnty., Or. v. ACandS, Inc.*, 5 F.3d 1255, 1262 (9th Cir. 1993) (denial of motion for reconsideration). We affirm.

The district court did not abuse its discretion by denying Leon's motions to recuse the district court judge and for reconsideration because Leon failed to establish a basis requiring recusal. *See Johnson*, 610 F.3d at 1147-48 (grounds for recusal under 28 U.S.C. § 455); *Sch. Dist. No. 1J, Multnomah Cnty., Or.*, 5 F.3d at 1263 (grounds for reconsideration under Fed. R. Civ. P. 60(b)).

We reject Leon's argument concerning discovery.

Leon's request for reasonable accommodation, filed on August 31, 2013, is denied as unnecessary.

M. Helen Bernstein's motion to file an amicus brief and request to participate at oral argument, filed on December 3, 2013, are denied.

AFFIRMED.