

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

KIP O’CONNOR; et al.,

Plaintiffs - Appellants,

v.

COUNTY OF CLACKAMAS, OREGON;
et al.,

Defendants - Appellees.

No. 13-35895

D.C. No. 3:11-cv-01297-SI

MEMORANDUM*

Appeal from the United States District Court
for the District of Oregon
Michael H. Simon, District Judge, Presiding

Argued and Submitted November 5, 2015
Portland, Oregon

Before: KOZINSKI, BERZON, and WATFORD, Circuit Judges.

Kip O’Connor, Lisa Konell, and Big Mountain Co. (“O’Connor”) appeal the district court’s grant of summary judgment to the County of Clackamas, Oregon (“County”) and two of its employees. O’Connor challenges the County’s application of its zoning ordinances to his property, alleging the County and its

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

employees violated his constitutional rights. We affirm for the reasons stated by the district court.

O'Connor also challenges the district court's dismissal of his claim for intentional interference with economic relations against a community planning organization and its members. We do not reach the question whether O'Connor could appeal his state law claim against the community planning organization and its members given that he had not included the claim in his amended pleadings. Even if O'Connor were able to challenge on appeal the district court's ruling on his state law claim, that claim fails on the merits for the reasons stated by the district court.

AFFIRMED.