

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

NOV 23 2016

FOR THE NINTH CIRCUIT

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

LIDIA G. BISTRIKA,

No. 14-35197

Plaintiff-Appellant,

D.C. No. 6:11-cv-06158-TC

v.

MEMORANDUM*

COSTCO WHOLESALE
CORPORATION, a private Washington
corporation licensed to do business in
Oregon,

Defendant-Appellee.

Appeal from the United States District Court
for the District of Oregon
Thomas M. Coffin, Magistrate Judge, Presiding**

Submitted November 16, 2016***

Before: LEAVY, BERZON, and MURGUIA, Circuit Judges.

Lidia G. Bistrika appeals pro se from the district court's order denying her

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The parties consented to proceed before a magistrate judge. *See* 28 U.S.C. § 636(c).

*** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

motion for reconsideration and motion for appointment of counsel in her employment discrimination action brought under state law. We dismiss the appeal for lack of jurisdiction because the challenged order is not immediately appealable.

See Mohawk Indus., Inc. v. Carpenter, 558 U.S. 100, 106-07, 113 (2009)

(discussing collateral order doctrine, and reiterating “that the class of collaterally appealable orders must remain narrow and selective in its membership”); *Wilborn v. Escalderon*, 789 F.2d 1328, 1330 & n.2 (9th Cir. 1986) (holding an order denying the request for appointment of counsel under 28 U.S.C. § 1915 not immediately appealable).

DISMISSED.