

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

APR 25 2017

FOR THE NINTH CIRCUIT

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

JEANNETTE MARTELLO,

Plaintiff-Appellant,

v.

SHELLEY ROUILLARD, In her official  
capacity as Director of the California  
Department of Managed Health Care;  
KIMBERLY KIRCHMEYER, In her  
official capacity as Director of the Medical  
Board of California,

Defendants-Appellees.

No. 15-56185

D.C. No. 2:15-cv-01798-CAS-AJW

MEMORANDUM\*

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

Submitted April 11, 2017\*\*

Before: GOULD, CLIFTON, and HURWITZ, Circuit Judges.

Jeannette Martello appeals pro se from the district court's judgment  
dismissing her action challenging the constitutionality of California's prohibition

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

\*\* The panel unanimously concludes this case is suitable for decision  
without oral argument. *See* Fed. R. App. P. 34(a)(2). Martello's request for oral  
argument set forth in her opening brief is denied.

against balance billing. We have jurisdiction under 28 U.S.C. § 1291. We review de novo, *ReadyLink Healthcare, Inc. v. State Comp. Ins. Fund*, 754 F.3d 754, 758 (9th Cir. 2014), and we affirm.

The district court properly dismissed Martello’s action under the *Younger* abstention doctrine because federal courts are required to abstain from interfering with pending state court proceedings where “the federal action would have the practical effect of enjoining the state proceedings.” *ReadyLink*, 754 F.3d at 758-59 (setting forth requirements for *Younger* abstention in civil cases).

The district court did not abuse its discretion by denying Martello’s motion for reconsideration because Martello failed to state any grounds warranting relief. *See Sch. Dist. No. 1J, Multnomah Cty., Or. v. ACandS, Inc.*, 5 F.3d 1255, 1262-63 (9th Cir. 1993) (setting forth standard of review and grounds for relief under Fed. R. Civ. P. 59(e)).

Appellees’ motions for judicial notice (Docket Entry Nos. 30 and 38) are granted.

**AFFIRMED.**