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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

CAMERON G. ROUPE,

Plaintiff-Appellant,

v.

JAMES STRICKLAND and ADAM
VEACH,

Defendants-Appellees.

No. 15-35063

D.C. No. 2:13-cv-02131-JCC

MEMORANDUM*

Appeal from the United States District Court
for the Western District of Washington
John C. Coughenour, District Judge, Presiding

Argued and Submitted May 19, 2017
Seattle, Washington

Before: HAWKINS, GOULD, and PAEZ, Circuit Judges.

In this 42 U.S.C. § 1983 action, Cameron Roupe appeals the adverse summary judgment grant to Officers James Strickland and Adam Veach. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

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

1. Summary judgment was correctly granted to Officer Strickland on Roupe's excessive force claim. Despite a liberal construction of his filings, Roupe did not show that the circumstances of the tasing were genuinely in dispute for summary judgment purposes. *See Thomas v. Ponder*, 611 F.3d 1144, 1149-50 (9th Cir. 2010). Based on the undisputed material facts, Officer Strickland's use of force was objectively reasonable, and he was thus entitled to qualified immunity. *See Kingsley v. Hendrickson*, 135 S. Ct. 2466, 2472-73 (2015); *Bryan v. MacPherson*, 630 F.3d 805, 823 (9th Cir. 2010).

2. Officer Veach was also entitled to qualified immunity because Roupe did not allege or show facts that Officer Veach violated Roupe's constitutional rights by not reporting the tasing. *See Bryan*, 630 F.3d at 823. Accordingly, summary judgment was correctly granted to Officer Veach.

3. As for Roupe's claim that Officers Strickland and Veach unlawfully failed to seek medical attention for him after the tasing, Roupe did not present evidence to establish a genuine issue of material fact that the Officers were deliberately indifferent to a serious medical need. *See Castro v. County of Los Angeles*, 833 F.3d 1060, 1067-68 (9th Cir. 2016) (en banc); *Jett v. Penner*, 439 F.3d 1091, 1096 (9th Cir. 2006). Accordingly, this claim fails as well.

4. The panel deems abandoned Roupe's claim that the district court erroneously ruled on the Defendants' Motion for Summary Judgment as if it were a motion to dismiss. *See United States v. Loya*, 807 F.2d 1483, 1487 (9th Cir. 1987) ("Issues raised in a brief which are not supported by argument are deemed abandoned."). Finally, Roupe waived his remaining Washington state law claims by not renewing them on appeal. *See Miller v. Fairchild Indus., Inc.*, 797 F.2d 727, 738 (9th Cir. 1986).

AFFIRMED.