

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUN 30 2017

FOR THE NINTH CIRCUIT

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

TAMMY CALLAHAN,

No. 16-16755

Plaintiff-Appellant,

D.C. No. 3:15-cv-00200-LRH-
WGC

v.

WASHOE COUNTY SCHOOL DISTRICT;
et al.,

MEMORANDUM*

Defendants-Appellees.

Appeal from the United States District Court
for the District of Nevada
Larry R. Hicks, District Judge, Presiding

Submitted June 26, 2017**

Before: PAEZ, BEA, and MURGUIA, Circuit Judges.

Tammy Callahan appeals pro se from the district court's order dismissing her employment action alleging discrimination in violation of federal and state law, including the Age Discrimination in Employment Act ("ADEA"). We have jurisdiction under 28 U.S.C. § 1291. We review de novo a dismissal under Fed. R.

* 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).

Civ. P. 12(b)(6), *Hebbe v. Piler*, 627 F.3d 338, 341 (9th Cir. 2010), and we affirm.

The district court properly dismissed Callahan’s ADEA claim as time-barred. *See Laguaglia v. Rio Hotel & Casino, Inc.*, 186 F.3d 1172, 1174 (9th Cir. 1999) (Nevada is a “deferral state” in which claimants have 300 days to institute proceedings with their state anti-discrimination agency); *see also* 29 U.S.C. § 626(d)(1)(B) (charges under the ADEA “shall be filed . . . within 300 days after the alleged unlawful practice occurred, or within 30 days after receipt by the individual of notice of termination of proceedings under State law, whichever is earlier”).

We reject as without merit Callahan’s contentions regarding judicial estoppel, laches, the continuing violation doctrine, and ineffective assistance of counsel.

AFFIRMED.