

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 21 2017

FOR THE NINTH CIRCUIT

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

RANDALL PITTMAN,

Plaintiff-Appellant,

and

LYNN BUSSEY,

Plaintiff,

v.

CEDARS-SINAI MEDICAL CENTER; et
al.,

Defendants-Appellees.

Nos. 15-56335
16-55721

D.C. No. 2:14-cv-07857-SVW-
FFM

MEMORANDUM*

Appeals from the United States District Court
for the Central District of California
Stephen V. Wilson, District Judge, Presiding

Submitted August 9, 2017**

Before: SCHROEDER, TASHIMA, and M. SMITH, Circuit Judges.

Randall Pittman appeals pro se from the district court's judgment dismissing

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

** The panel unanimously concludes these cases are suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

for failure to comply with local rules his employment action alleging federal and state law violations. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion. *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). We affirm.

The district court did not abuse its discretion in dismissing Pittman’s claims because Pittman failed to oppose defendants’ motions to dismiss. *See* C.D. Cal. R. 7-12 (“The failure to file any required document . . . may be deemed consent to the granting or denial of the motion”); *Ghazali*, 46 F.3d at 53-54 (setting forth factors to be considered before dismissing an action for failure to follow the local rules, affirming dismissal for failure to file opposition to motion to dismiss, and noting that pro se litigants are bound by the rules of procedure).

The district court did not abuse its discretion by denying Pittman’s Federal Rule of Civil Procedure 60(b) motions because Pittman failed to establish any basis for 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 reconsideration under Rule 60(b)).

We do not consider matters not specifically and distinctly raised and argued

in the opening brief. *See Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009).

AFFIRMED.