

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAR 22 2018

FOR THE NINTH CIRCUIT

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

DENISE RAYNOLDS-MORRIS,

No. 16-55800

Plaintiff-Appellant,

D.C. No. 5:15-cv-02280-DOC-  
DFM

v.

TRAVIS BUELL, E6569, Deputy Sheriff, in  
his individual capacity; et al.,

MEMORANDUM\*

Defendants-Appellees.

Appeal from the United States District Court  
for the Central District of California  
David O. Carter, District Judge, Presiding

Submitted March 13, 2018\*\*

Before: LEAVY, M. SMITH, and CHRISTEN, Circuit Judges.

Denise Raynolds-Morris appeals pro se from the district court's judgment dismissing her 42 U.S.C. § 1983 action alleging federal and state law claims arising from her arrest. We have jurisdiction under 28 U.S.C. § 1291. We review de novo the district court's dismissal on the basis of the statute of limitations.

---

\* 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).

*Jones v. Blanas*, 393 F.3d 918, 926 (9th Cir. 2004). We affirm.

The district court properly dismissed Reynolds-Morris' action as time-barred because Reynolds-Morris failed to file her action within the applicable statute of limitations or establish any basis for equitable tolling. *See* Cal. Civ. Proc. Code. § 335.1 (two-year statute of limitations for personal injury claims); *Jones*, 393 F.3d at 927 (statute of limitations for § 1983 claims is governed by the forum state's limitation period for personal injury claims, including state law regarding tolling); *Fink v. Shedler*, 192 F.3d 911, 916 (9th Cir. 1999) (test for equitable tolling in California); *see also* Cal. Gov't Code § 945.6(a) (setting forth time limitations for commencing action against public entity).

We do not consider arguments or facts that were not presented to the district court. *See Smith v. Marsh*, 194 F.3d 1045, 1052 (9th Cir. 1999).

**AFFIRMED.**