

FILED

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JESUS ADOLFO ESTEVEZ, AKA Jesus
Estevez,

Petitioner-Appellant,

v.

UNITED STATES ATTORNEY'S OFFICE
FOR THE SOUTHERN DISTRICT OF
CALIFORNIA; et al.,

Respondents-Appellees.

No. 18-55161

D.C. No. 3:15-cv-02941-AJB-JLB

MEMORANDUM*

Appeal from the United States District Court
for the Southern District of California
Anthony J. Battaglia, District Judge, Presiding

Submitted August 15, 2018**

Before: FARRIS, BYBEE, and N.R. SMITH, Circuit Judges.

California state prisoner Jesus Adolfo Estevez, AKA Jesus Estevez, appeals
pro se from the district court's summary judgment in his Freedom of Information

* 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). Estevez's request for oral argument, set forth in his opening brief, is denied.

1 Act (“FOIA”) action arising out of his request for documents. We have
2 jurisdiction under 28 U.S.C. § 1291. We review de novo. *Animal Legal Def. Fund*
3 *v. U.S. Food & Drug Admin.*, 836 F.3d 987, 988-89 (2016) (en banc) (summary
4 judgment in FOIA cases); *Guatay Christian Fellowship v. County of San Diego*,
5 670 F.3d 957, 970 (9th Cir. 2011) (cross-motions for summary judgment). We
6 affirm.

7 The district court properly granted summary judgment on Estevez’s FOIA
8 requests because defendants’ declarations were reasonably detailed and showed
9 that defendants “conducted a search reasonably calculated to uncover all relevant
10 documents.” *Hamdan v. U.S. Dep’t of Justice*, 797 F.3d 759, 770-71 (9th Cir.
11 2015) (citations and internal quotation marks omitted) (setting forth requirements
12 for demonstrating adequacy of search for documents).

13 We do not consider matters not specifically and distinctly raised and argued
14 in the opening brief. *See Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009).

15 Estevez’s requests for appointment of counsel, set forth in his opening and
16 reply briefs, are denied.

17 Estevez’s motion to file records under seal (Docket Entry No. 16) is denied.

18 **AFFIRMED.**