

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

APR 10 2020

FOR THE NINTH CIRCUIT

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

BRENDA M. JOHNSON,

Plaintiff-Appellant,

v.

WASHINGTON STATE DEPARTMENT
OF TRANSPORTATION, AKA WSDOT;
PATTY RUBSTELLO, P.E., Director of
Toll Operations WSDOT,

Defendants-Appellees.

No. 19-35773

D.C. No. 2:19-cv-00862-RSM

MEMORANDUM*

Appeal from the United States District Court
for the Western District of Washington
Benjamin H. Settle, District Judge, Presiding

Submitted April 7, 2020**

Before: TASHIMA, BYBEE, and WATFORD, Circuit Judges.

Brenda M. Johnson appeals pro se from the district court's judgment dismissing her action alleging federal claims arising from her employment at the Washington State Department of Transportation. We have jurisdiction under 28

* 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).

U.S.C. § 1291. We affirm.

In her opening brief, Johnson fails to address the grounds for dismissal and has therefore waived her challenge to the district court's orders. *See Indep. Towers of Wash. v. Washington*, 350 F.3d 925, 929 (9th Cir. 2003) (“[W]e will not consider any claims that were not actually argued in appellant’s opening brief.”); *Acosta–Huerta v. Estelle*, 7 F.3d 139, 144 (9th Cir. 1993) (issues not supported by argument in pro se appellant’s opening brief are waived); *see also Greenwood v. FAA*, 28 F.3d 971, 977 (9th Cir. 1994) (“We will not manufacture arguments for an appellant, and a bare assertion does not preserve a claim[.]”).

AFFIRMED.