

FILED

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ITN FLIX, LLC, a Utah Limited Liability
company,

Petitioner,

and

GIL MEDINA, an individual,

Petitioner-Appellant,

v.

DANNY TREJO, an individual,

Respondent-Appellee.

No. 20-56187

D.C. No.

2:20-cv-01978-ODW-AGR

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Otis D. Wright II, District Judge, Presiding

Submitted June 17, 2021 **
San Francisco, California

Before: FERNANDEZ, SILVERMAN, and N.R. SMITH, Circuit Judges.

* 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).

Gil Medina appeals pro se from the district court's judgment confirming an award in an arbitration brought by Danny Trejo against Medina and his company, ITN Flix, LLC (ITN). The district court denied Medina's petition to vacate the award, and granted Trejo's request to confirm it. We affirm.

We agree with the district court that Medina's petition to vacate the arbitration award was untimely because Medina failed to serve Trejo or his counsel with notice of the petition within three months after the final arbitration award was delivered. *See* 9 U.S.C. § 12; *see also Stevens v. Jiffy Lube Int'l, Inc.*, 911 F.3d 1249, 1251–52 (9th Cir. 2018). In light of that untimeliness, we decline to review Medina's other challenges¹ to the district court's confirmation of the award. *See Brotherhood of Teamsters Loc. No. 70 v. Celotex Corp.*, 708 F.2d 488, 490 (9th Cir. 1983); *see also Lafarge Conseils Et Etudes, S.A. v. Kaiser Cement & Gypsum Corp.*, 791 F.2d 1334, 1338–39 (9th Cir. 1986).

AFFIRMED.

¹ *See* 9 U.S.C. §§ 10–11; *Kyocera Corp. v. Prudential-Bache Trade Servs., Inc.*, 341 F.3d 987, 997 (9th Cir. 2003) (en banc); *see also Lagstein v. Certain Underwriters at Lloyd's, London*, 607 F.3d 634, 641 (9th Cir. 2010).