

FILED

NOV 30 2021

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

LISA VARGAS,

Plaintiff-Appellee,

v.

NIKOLIS PEREZ, an individual;  
JONATHAN ROJAS, an individual,

Defendants-Appellants,

and

COUNTY OF LOS ANGELES, a  
governmental entity; DOES, 1 to 10,  
inclusive,

Defendants.

No. 21-55054

D.C. No.  
2:19-cv-03279-PSG-AS

MEMORANDUM\*

Appeal from the United States District Court  
for the Central District of California  
Philip S. Gutierrez, Chief District Judge, Presiding

Submitted November 18, 2021\*\*  
Pasadena, California

---

\* 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).

Before: LINN,<sup>\*\*\*</sup> BYBEE, and BENNETT, Circuit Judges.

When an interlocutory appeal challenges the district court's determination that there is sufficient evidence to create a genuine dispute as to material fact, we lack appellate jurisdiction. *Estate of Anderson v. Marsh*, 985 F.3d 726 (9th Cir. 2021). Because appellants' appeal amounts to a challenge to the district court's decision on the facts, we lack jurisdiction.

**DISMISSED.**

---

<sup>\*\*\*</sup> The Honorable Richard Linn, United States Circuit Judge for the U.S. Court of Appeals for the Federal Circuit, sitting by designation.