

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

NOV 9 2023

FOR THE NINTH CIRCUIT

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

CHRISTINA JUNGBLUT, an individual,

No. 22-15508

Plaintiff-Appellant,

D.C. No. 2:19-cv-05837-DLR

v.

MEMORANDUM*

SALT RIVER PROJECT AGRICULTURAL
IMPROVEMENT AND POWER
DISTRICT, a political subdivision of the
State of Arizona,

Defendant-Appellee.

Appeal from the United States District Court
for the District of Arizona
Douglas L. Rayes, District Judge, Presiding

Submitted November 7, 2023**

Before: O'SCANNLAIN, KLEINFELD, and SILVERMAN, Circuit Judges.

Christina Jungblut appeals pro se the district court's summary judgment in Jungblut's action against her former employer, Salt River Project Agricultural Improvement and Power District, alleging violations of the Americans With

* 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).

Disabilities Act (“ADA”) and the Arizona Civil Rights Act (“ACRA”). We have jurisdiction under 28 U.S.C. § 1291. We review de novo. *Samper v. Providence St. Vincent Med. Ctr.*, 675 F.3d 1233, 1235 n.1 (9th Cir. 2012). We affirm.

The district court properly granted summary judgment on Jungblut’s ADA and ACRA claims because Jungblut failed to raise a triable dispute as to whether she was “a qualified individual able to perform the essential functions of the job with reasonable accommodation.” *Id.* at 1237 (explaining the requirements of a prima facie case for failure to accommodate under the ADA) (citation and alterations omitted); *see* Ariz. Rev. Stat. § 41-1461(12); *id.* § 41-1463(F)(4); *Fancini v. Phoenix Newspapers, Inc.*, 937 P.2d 1382, 1388 (Ariz. App. 1996) (“Because the ACRA is modeled after federal employment discrimination laws . . . federal case law is persuasive in applying the ACRA.”).

We decline to consider arguments and allegations raised for the first time on appeal. *See Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009) (per curiam).

Jungblut’s Motion to Transmit Physical Exhibits, Dkt. Entry No. 18, is denied.

AFFIRMED.