

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

DEC 24 2024

FOR THE NINTH CIRCUIT

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

WILLIAM L. GREEN,

Plaintiff-Appellant,

v.

UNITED STATES OF AMERICA; et al.,

Defendants-Appellees.

No. 23-35380

D.C. No. 3:20-cv-05249-BHS

MEMORANDUM\*

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

Submitted December 17, 2024\*\*

Before: WALLACE, GRABER, and BUMATAY, Circuit Judges.

William L. Green, a former lieutenant in the United States Navy, appeals pro se from the district court's summary judgment in his action under the Administrative Procedure Act seeking review of the Department of the Navy's denial of his application to correct his military record. We have jurisdiction under

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\* 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).

28 U.S.C. § 1291. We affirm.

In his opening brief, Green failed to address the grounds for the district’s summary judgment and therefore has waived any such challenge. *See Indep. Towers of Wash. v. Washington*, 350 F.3d 925, 929 (9th Cir. 2003) (explaining that “we will not consider any claims that were not actually argued in appellant’s opening brief”).

The district court did not abuse its discretion by denying Green’s motion to strike the government’s motion for summary judgment. *See FTC v. Gill*, 265 F.3d 944, 954-55, 957 (9th Cir. 2001) (setting forth standard of review and explaining that a district court has broad discretion to control its docket).

The district court did not abuse its discretion in denying Green’s post-judgment motions because Green failed to establish any basis for relief. *See Sch. Dist. No. 1J, Multnomah County, Or. v. ACandS, Inc.*, 5 F.3d 1255, 1262-63 (9th Cir. 1993) (setting forth standard of review and bases for reconsideration).

We reject as unsupported by the record Green’s contentions that the district court’s judgment was the result of fraud or bias.

All pending motions and requests are denied.

**AFFIRMED.**