

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JAN 28 2026

FOR THE NINTH CIRCUIT

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

MERILAND DILLARD,

Plaintiff - Appellant,

v.

CBS STUDIOS, INC.,

Defendant - Appellee.

No. 25-6180

D.C. No. 8:25-cv-02091-JAK-KES

MEMORANDUM\*

Appeal from the United States District Court  
for the Central District of California  
John A. Kronstadt, District Judge, Presiding

Submitted January 22, 2026\*\*

Before: WARDLAW, CLIFTON, and R. NELSON, Circuit Judges.

Meriland Dillard appeals pro se from the district court's order denying his motion for a preliminary injunction in his action alleging copyright infringement.

We have jurisdiction under 28 U.S.C. § 1292(a)(1). We review for an abuse of discretion. *Am. Trucking Ass'ns, Inc. v. City of Los Angeles*, 559 F.3d 1046, 1052

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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).

(9th Cir. 2009). We affirm.

The district court did not abuse its discretion by denying Dillard’s motion for a preliminary injunction because Dillard failed to establish that he is likely to succeed on the merits of his claims. *See Garcia v. Google, Inc.*, 786 F.3d 733, 740 (9th Cir. 2015) (en banc) (setting out preliminary injunction requirements and noting that “when a plaintiff has failed to show the likelihood of success on the merits, we need not consider the remaining three [*Winter* elements]” (citation and internal quotation marks omitted)); *Biani v. Showtime Networks, Inc.*, 153 F.4th 957, 962 (9th Cir. 2025) (setting out the requirements to establish factual copying).

We do not consider matters not specifically and distinctly raised and argued in the opening brief, or arguments and allegations raised for the first time on appeal. *See Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009).

Dillard’s request to expedite the issuance of the mandate, set forth in his opening brief, is denied.

**AFFIRMED.**