

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAY 11 2026

FOR THE NINTH CIRCUIT

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

MONIQUE KRISTEN DIOSDADO, on
behalf of S. D.,

Plaintiff - Appellant,

v.

HUNTINGTON BEACH UNION HIGH
SCHOOL DISTRICT,

Defendant - Appellee.

No. 25-299

D.C. No. 8:24-cv-02490-FLA-KES

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Fernando L. Aenlle-Rocha, District Judge, Presiding

Submitted April 22, 2026**

Before: LEE, DESAI, and JOHNSTONE, Circuit Judges.

Monique Kristen Diosdado appeals pro se from the district court's order denying her motion to represent her minor child in this action. We review de novo. *Johns v. County of San Diego*, 114 F.3d 874, 876 (9th Cir. 1997). We affirm the

* 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)*.

district court's order denying Diosdado's motion. *See Grizzell v. San Elijo Elementary Sch.*, 110 F.4th 1177, 1179-80 (9th Cir. 2024) (explaining that under this circuit's binding precedent, a non-attorney parent or guardian cannot bring an action on behalf of a minor child without retaining a lawyer), *cert. denied*, 145 S. Ct. 2701 (2025); *see also Herrera v. City of Palmdale*, 918 F.3d 1037, 1042 (9th Cir. 2019) (a district court order may be considered final for purposes of appellate jurisdiction where its result puts the appellant "effectively out of court").

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).

All pending motions and requests are denied.

AFFIRMED.