

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAY 12 2026

FOR THE NINTH CIRCUIT

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

JORDAN CHRISTOPHER ZITO,

Plaintiff - Appellant,

v.

SUMMIT STAFFING, INC.; STATE OF
ILLINOIS; CITY OF CHICAGO; HUB
GROUP, INC.; TAGG LOGISTICS,

Defendants - Appellees.

No. 25-5328

D.C. No. 3:25-cv-00350-MMD-
CLB

MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
Miranda M. Du, District Judge, Presiding

Submitted April 22, 2026**

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

Jordan Christopher Zito appeals pro se from the district court's judgment dismissing his action alleging various federal and state law claims. We have jurisdiction under 28 U.S.C. § 1291. We affirm.

* 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).

Because Zito does not challenge the district court's grounds for dismissal of his action in his opening brief, we do not consider that decision. *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”); *Acosta-Huerta v. Estelle*, 7 F.3d 139, 144 (9th Cir. 1993) (explaining that issues not supported by argument in pro se appellant’s opening brief are deemed abandoned).

Contrary to Zito’s contentions, the district court was not required to obtain Zito’s consent to designate a magistrate judge to recommend disposition of the action, and the magistrate judge acted within her authority by submitting a recommendation to dismiss the action, which the district court adopted. *See* 28 U.S.C. § 636(b)(1); *Estate of Conners by Meredith v. O’Connor*, 6 F.3d 656, 658 (9th Cir. 1993) (discussing scope of magistrate judge’s authority under § 636(b)(1)).

AFFIRMED.