

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUL 30 2026

FOR THE NINTH CIRCUIT

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

DEVIN ANDRICH,

Plaintiff - Appellant,

v.

BANNER HEALTH d/b/a Banner –
University Medical Center Tucson;
JENNIFER LUTTRELL; DEANNA
SANTA CRUZ; LORI FICKES; TESIA
ROSS-LIGGINS,

Defendants - Appellees.

No. 25-1829

D.C. No. 4:21-cv-00551-JAS

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
James Alan Soto, District Judge, Presiding

Submitted July 29, 2026**

Before: McKEOWN, TALLMAN, and MENDOZA, JR., Circuit Judges.

Devin Andrich appeals pro se from the district court's judgment dismissing
his 42 U.S.C. § 1983 action alleging constitutional violations arising from

* 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).

defendants' failure to release his medical records under the Health Insurance Portability and Accountability Act. We have jurisdiction under 28 U.S.C. § 1291. We affirm.

Because Andrich does not raise in his opening brief the district court's dismissal of his action on the independent, alternative grounds that Andrich's action was barred by res judicata and that Andrich failed to allege facts sufficient to state a plausible claim, Andrich has abandoned any 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 in denying Andrich's motions to allow electronic filing. *See Preminger v. Peake*, 552 F.3d 757, 769 n.11 (9th Cir. 2008) (reviewing for an abuse of discretion the district court's decisions regarding management of litigation). We reject as without merit Andrich's contentions that the district court violated his constitutional rights.

AFFIRMED.