

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 28 2026

FOR THE NINTH CIRCUIT

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

RICHARD SLEZAK,

Plaintiff - Appellant,

v.

MAUI FAMILY YMCA; MISTY
AMORIN; STEVE SCRAGGS; COUNTY
OF MAUI; PLANET FITNESS, INC.,
(Maui, Hawaii location); ALEXANDER &
BALDWIN, LLC,

Defendants - Appellees,

JANE DOES, 1-10, JOHN DOES, 1-10,
UNKNOWN PARTY, Corporations 1-10;
Doe Partnerships 1-10; Doe Governmental
Entities 1-10, BRIAN BUSTOS, ERICA
FLORES,

Defendants.

No. 26-2475

D.C. No. 1:25-cv-00272-SASP-RT

MEMORANDUM*

Appeal from the United States District Court
for the District of Hawaii
Shanlyn A.S. Park, District Judge, Presiding

Submitted August 25, 2026**

* 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).

Before: SILVERMAN, N.R. SMITH, and DE ALBA, Circuit Judges.

Richard Slezak appeals pro se from the district court's order denying his motion for a preliminary injunction in his action alleging claims under the Americans with Disabilities Act ("ADA") and state law. 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 (9th Cir. 2009). We affirm.

The district court did not abuse its discretion by denying Slezak's motion for a preliminary injunction because Slezak failed to establish the requirements for such relief. *See id.* (a party seeking a preliminary injunction must establish that it is likely to succeed on the merits, it is likely to suffer irreparable harm in the absence of preliminary relief, the balance of equities tips in its favor, and an injunction is in the public interest).

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

AFFIRMED.