

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

SEP 23 2026

FOR THE NINTH CIRCUIT

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

JOSEPH MARTIN EFEZOKHAE, an
individual,

Plaintiff - Appellant,

v.

ROCKET MORTGAGE, LLC, a Michigan
Limited Liability Company; UNKNOWN
PARTIES, named as ABC Corporations 1-
10; XYZ partnerships 1-10; Other
Businesses 1-10,

Defendants - Appellees.

No. 25-2019

D.C. No.

2:23-cv-01982-SMB

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona

Susan M. Brnovich, District Judge, Presiding

Submitted September 22, 2026**

Before: OWENS, COLLINS, and SUNG, Circuit Judges.

Joseph Martin Efezokhae appeals pro se from the district court's summary

* 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).

judgment in his action alleging federal and state law disability discrimination and wrongful termination claims. We have jurisdiction under 28 U.S.C. § 1291. We review de novo. *Nunies v. HIE Holdings, Inc.*, 908 F.3d 428, 432 (9th Cir. 2018). We affirm.

The district court properly granted summary judgment on Efezokhae's claim for disability discrimination under the Americans with Disabilities Act ("ADA") because Efezokhae failed to raise a genuine dispute of material fact as to whether he was a qualified individual within the meaning of the ADA. *See Nunies*, 908 F.3d at 433 (setting forth elements of a prima facie case of disability discrimination under the ADA); *see also Anthony v. Trax Int'l Corp.*, 955 F.3d 1123, 1134 (9th Cir. 2020) (explaining that an employer is not obligated to engage in the interactive process or furnish a reasonable accommodation if an individual is not otherwise qualified).

The district court properly granted summary judgment on Efezokhae's claim for disability discrimination under the Arizona Civil Rights Act ("ACRA") because Efezokhae failed to raise a triable dispute as to whether defendants discriminated against him "on the basis of disability." Ariz. Rev. Stat. § 41-1463(B)(1) (setting forth requirements of a claim of disability discrimination under the ACRA).

The district court properly granted summary judgment on Efezokhae's claim

for wrongful termination because Efezokhae failed to raise a triable dispute as to whether he was terminated in violation of the ACRA. *See Bodett v. CoxCom, Inc.*, 366 F.3d 736, 746 (9th Cir. 2004) (setting forth theories of liability to state a claim of wrongful termination under Ariz. Rev. Stat. § 23-1501, including termination in violation of the ACRA).

The district court did not abuse its discretion in denying Efezokhae's motions to alter or amend the judgment under Federal Rule of Civil Procedure 59(e) and for relief from judgment under Federal Rule of Civil Procedure 60(b) because Efezokhae failed to establish any basis for relief. *See EHM Prods., Inc. v. Starline Tours of Hollywood, Inc.*, 1 F.4th 1164, 1170-71 (9th Cir. 2021) (setting forth standard of review and grounds for relief under Rule 59(e)); *Casey v. Albertson's Inc.*, 362 F.3d 1254, 1257, 1259-60 (9th Cir. 2004) (setting forth standard of review and grounds for relief under Rule 60(b)).

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.