

OCT 06 2010

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

TAMMY BERDEAUX,

Plaintiff - Appellant,

v.

SUSAN MANNING, Instructor for the
University of Wisconsin-Stout in her
official and individual capacity; NATHAN
KIRKMAN, Judicial Officer for
University of Wisconsin-Stout in his
official and individual capacity,

Defendants - Appellees.

No. 09-15533

D.C. No. 2:08-cv-00554-JWS

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
John W. Sedwick, District Judge, Presiding

Submitted September 13, 2010**

Before: SILVERMAN, CALLAHAN, and N.R. SMITH, Circuit Judges.

Tammy Berdeaux appeals pro se from the district court's judgment

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

dismissing for lack of jurisdiction her action arising from her participation in a Masters in Education program through the University of Wisconsin-Stout. We have jurisdiction under 28 U.S.C. § 1291. We review de novo, *Pebble Beach Co. v. Caddy*, 453 F.3d 1151, 1154 (9th Cir. 2006), and we affirm.

The district court properly dismissed the action because Berdeaux failed to establish that the court had personal jurisdiction over defendants. *See Schwarzenegger v. Fred Martin Motor Co.*, 374 F.3d 797, 800, 802-03 (9th Cir. 2004) (stating that “the plaintiff bears the burden of demonstrating that jurisdiction is appropriate,” and setting forth test for specific personal jurisdiction).

AFFIRMED.