

MAR 04 2011

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>RAYMOND OBIAJULU,</p> <p>Plaintiff - Appellant,</p> <p>v.</p> <p>RITE AID CORPORATION; et al.,</p> <p>Defendants - Appellees.</p>
--

No. 09-17636

D.C. No. 2:07-cv-01287-KJD-LRL

MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
Kent J. Dawson, District Judge, Presiding

Submitted February 15, 2011**

Before: CANBY, FERNANDEZ, and M. SMITH, Circuit Judges.

Raymond Obiajulu appeals pro se from the district court’s summary judgment in his employment action alleging retaliation in violation of Title VII.

We have jurisdiction under 28 U.S.C. § 1291. We review de novo, *Vasquez v.*

Cnty. of L.A., 349 F.3d 634, 639 (9th Cir. 2004), and we affirm.

* 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).

The district court properly granted summary judgment because Obiajulu failed to raise a genuine issue of material fact as to whether some of Rite Aid Corporation's alleged retaliatory actions constituted adverse employment actions, and, as to the adverse employment actions, whether Rite Aid's proffered legitimate, non-retaliatory reasons were pretextual. *See id.* at 646.

Obiajulu's remaining contentions, including those concerning judicial bias and discovery, are unpersuasive.

AFFIRMED.