

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JAN 30 2017

FOR THE NINTH CIRCUIT

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

PATRICK TAKEUCHI,

Plaintiff-Appellant,

v.

JOHN M. MCHUGH, Secretary of the
Army*,

Defendant-Appellee.

No. 15-17205

D.C. No. 1:14-cv-00299-JMS-KSC

MEMORANDUM**

Appeal from the United States District Court
for the District of Hawaii
J. Michael Seabright, Chief Judge, Presiding

Submitted January 18, 2017***

Before: TROTT, TASHIMA, and CALLAHAN, Circuit Judges.

Patrick Takeuchi appeals pro se from the district court's judgment
dismissing his Title VII action. We have jurisdiction under 28 U.S.C. § 1291. We

* Eric Fanning is substituted for his predecessor, John M. McHugh, as Secretary of the Army under Fed. R. App. P. 43(c)(2).

** 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).

review de novo. *Vinieratos v. U.S. Dep't of Air Force Through Aldridge*, 939 F.2d 762, 767-68 (9th Cir. 1991). We affirm.

The district court properly dismissed Takeuchi's Title VII action because Takeuchi failed to exhaust his administrative remedies. *See id.* at 772 ("The law requires an aggrieved federal employee to elect one exclusive administrative remedy and to exhaust whatever remedy he chooses.").

We do not consider claims raised for the first time on appeal. *See Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009).

AFFIRMED.