

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

FEB 23 2017

FOR THE NINTH CIRCUIT

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

OMOYI MVUEMBA, an individual,

No. 15-55160

Plaintiff-Appellant,

D.C. No. 2:14-cv-01126-ODW-
PLA

v.

COUNTY OF LOS ANGELES, a public
entity,

MEMORANDUM*

Defendant-Appellee.

Appeal from the United States District Court
for the Central District of California
Otis D. Wright II, District Judge, Presiding

Submitted February 14, 2017**

Before: GOODWIN, FARRIS, and FERNANDEZ, Circuit Judges.

Omoyi Mvuemba appeals pro se from the district court's summary judgment in his action brought under the California Fair Employment and Housing Act and the Americans with Disabilities Act. We have jurisdiction under 28 U.S.C. § 1291.

* 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).

We affirm.

In his opening brief, Mvuemba fails to address how the district court erred in granting summary judgment and, thus, this issue is waived. *See Wilcox v. Comm'r*, 848 F.2d 1007, 1008 n.2 (9th Cir. 1988) (arguments not raised on appeal by pro se litigant deemed abandoned); *see also Acosta-Huerta v. Estelle*, 7 F.3d 139, 144 (9th Cir. 1993) (issues not supported by argument in pro se appellant's opening brief are waived).

We reject as unsupported by the record Mveumba's contentions that the district court denied him an opportunity to take additional depositions, submit further evidence, and prepare his opposition to defendant's motion for summary judgment, and that his former counsel did not state arguments or submit evidence.

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

AFFIRMED.