

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

OCT 3 2017

FOR THE NINTH CIRCUIT

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

TINA DIAMOS,

Plaintiff,

and

ALDON LOUIS BOLANOS, former
attorney for plaintiff Tina Diamos,

Appellant,

v.

SPECIALIZED LOAN SERVICING, LLC,

Defendant-Appellee.

No. 16-15591

D.C. No. 3:13-cv-04997-NC

MEMORANDUM*

Appeal from the United States District Court
for the Northern District of California
Nathanael M. Cousins, Magistrate Judge, Presiding**

Submitted September 26, 2017***

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

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The parties consented to proceed before a magistrate judge. *See* 28 U.S.C. § 636(c).

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

Aldon Louis Bolanos, a former attorney who represented plaintiff Tina Diamos, appeals pro se from the district court's order imposing sanctions on Bolanos. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion. *Ollier v. Sweetwater Union High Sch. Dist.*, 768 F.3d 843, 859 (9th Cir. 2014) (discovery sanctions); *Lahiri v. Universal Music & Video Distrib. Corp.*, 606 F.3d 1216, 1218 (9th Cir. 2010) (sanctions under 28 U.S.C. § 1927). We affirm.

The district court did not abuse its discretion by sanctioning Bolanos in the amount of attorney's fees and costs associated with cancelled depositions because Bolanos scheduled the depositions for dates when he knew he would be suspended from the practice of law and failed to disclose his suspension to the district court and opposing counsel in a timely manner. *See* 28 U.S.C. § 1927 (explaining that an attorney "who so multiplies the proceedings in any case unreasonably and vexatiously may be required by the court to satisfy personally the excess costs, expenses, and attorneys' fees reasonably incurred because of such conduct"); Fed. R. Civ. P. 30(d)(2) ("The court may impose an appropriate sanction--including the reasonable expenses and attorney's fees incurred by any party--on a person who impedes, delays, or frustrates the fair examination of the deponent."); Fed. R. Civ. P. 37(b) (authorizing sanctions for failure to comply with court order); Fed. R. Civ. P. 37(d) (authorizing sanctions for failure to appear at deposition).

The court's May 12, 2017 order to show cause (Docket Entry No. 19) is discharged.

AFFIRMED.