

DEC 22 2016

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

GARY CECIL,

Plaintiff-Appellant,

v.

DANIEL PARAMO, Warden; et al.,

Defendants-Appellees.

No. 16-55004

D.C. No. 3:15-cv-02137-GPC-
NLS

MEMORANDUM*

Appeal from the United States District Court
for the Southern District of California
Gonzalo P. Curiel, District Judge, Presiding

Submitted December 14, 2016**

Before: WALLACE, LEAVY, and FISHER, Circuit Judges.

Gary Cecil, a California state prisoner, appeals pro se from the district court's order dismissing his 42 U.S.C. § 1983 action alleging due process and access-to-court claims. We have jurisdiction under 28 U.S.C. § 1291. We affirm.

In his opening brief, Cecil failed to address any of the grounds for dismissal,

* 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).

and has therefore waived his appeal of the district court's order. *See Indep. Towers of Wash. v. Washington*, 350 F.3d 925, 929 (9th Cir. 2003) (“[W]e will not consider any claims that were not actually argued in appellant’s opening brief.”); *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).

AFFIRMED.