

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

APR 23 2018

FOR THE NINTH CIRCUIT

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

RODRICK GORDON DeROCK,

No. 17-35783

Plaintiff-Appellant,

D.C. No. 1:12-cv-00024-BLW-
LMB

v.

BOISE CITY; ADA COUNTY HOUSING
AUTHORITY,

MEMORANDUM*

Defendants-Appellees.

Appeal from the United States District Court
for the District of Idaho
B. Lynn Winmill, Chief Judge, Presiding

Submitted April 11, 2018**

Before: SILVERMAN, PAEZ, and OWENS, Circuit Judges.

Rodrick Gordon DeRock appeals pro se from the district court's summary judgment in his action alleging federal claims arising out of a rental dispute. We have jurisdiction under 28 U.S.C. § 1291. We review de novo. *Pac. Shores Props., LLC v. City of Newport Beach*, 730 F.3d 1142, 1156 (9th Cir. 2013). We

* 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).

affirm.

The district court properly granted summary judgment because DeRock failed to raise a genuine dispute of material fact as to whether he was denied a reasonable accommodation. *See O'Guinn v. Lovelock Corr. Ctr.*, 502 F.3d 1056, 1060 (9th Cir. 2007) (setting forth elements of a claim for failure to accommodate under Title II of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act); *McGary v. City of Portland*, 386 F.3d 1259, 1262 (9th Cir. 2004) (setting forth elements of a claim for failure to accommodate under the Fair Housing Amendments Act of 1988).

The district court did not abuse its discretion by denying DeRock's request to amend the Case Management Order because DeRock failed to show good cause. *See Fed. R. Civ. P. 16(b); Zivkovic v. S. Cal. Edison Co.*, 302 F.3d 1080, 1087-88 (9th Cir. 2002) (setting forth standard of review and explaining that moving party must show good cause to modify scheduling order).

AFFIRMED.