

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

APR 13 2020

FOR THE NINTH CIRCUIT

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

IKEMEFULA CHARLES IBEABUCHI,
AKA Charles Ikemefula Ibeabuchi,

Plaintiff-Appellant,

v.

EGGLESTON, Director of Operation,
FOIA/PA, Missouri Branch; et al.,

Defendants-Appellees.

No. 19-16963

D.C. No. 2:17-cv-04750-JAT-JZB

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
James A. Teilborg, District Judge, Presiding

Submitted April 7, 2020**

Before: TASHIMA, BYBEE, and WATFORD, Circuit Judges.

Arizona state prisoner Ikemefula Charles Ibeabuchi, AKA Charles Ikemefula Ibeabuchi, appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action alleging constitutional claims arising out of his

* 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).

immigration detention and his request for documents under the Freedom of Information Act. We have jurisdiction under 28 U.S.C. § 1291. We affirm.

In his opening brief, Ibeabuchi fails to address how the district court erred by dismissing his action for failure to state a claim. As a result, Ibeabuchi has waived his challenge to the district court's order. *See Smith v. Marsh*, 194 F.3d 1045, 1052 (9th Cir. 1999) (“[O]n appeal, arguments not raised by a party in its opening brief are deemed waived.”); *Greenwood v. FAA*, 28 F.3d 971, 977 (9th Cir. 1994) (“We will not manufacture arguments for an appellant . . .”).

We reject as meritless Ibeabuchi's contentions that the district court clerk's description of his motion to reopen the time to appeal was erroneous and that the district court should have granted him leave to amend sua sponte.

All pending motions are denied.

AFFIRMED.