

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

NOV 7 2016

FOR THE NINTH CIRCUIT

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

ROBERT EARL STRICKLAND,

Plaintiff-Appellant,

v.

GE CAPITAL RETAIL BANK,

Defendant-Appellee.

No. 15-15971

D.C. No. 2:14-cv-02774-BSB

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
Bridget S. Bade, Magistrate Judge, Presiding**

Submitted October 25, 2016***

Before: LEAVY, GRABER, and CHRISTEN, Circuit Judges.

Robert Earl Strickland appeals pro se from the district court's summary judgment in his employment action under the American with Disabilities Act

* 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).

(“ADA”). We have jurisdiction under 28 U.S.C. § 1291. We review de novo, *Vasquez v. County of Los Angeles*, 349 F.3d 634, 639 (9th Cir. 2004), and we affirm.

The district court properly granted summary judgment because Strickland failed to raise a genuine dispute of material fact as to whether the release agreement that Strickland signed was invalid. *See Stroman v. W. Coast Grocery Co.*, 884 F.2d 458, 462-63 (9th Cir. 1989) (a release of claims is valid if it is voluntary, deliberate, and informed); *see also Pardi v. Kaiser Found. Hosps.*, 389 F.3d 840, 848 (9th Cir. 2004) (upholding settlement agreement releasing ADA claims where plaintiff failed to establish that the agreement was procured by duress or any other basis that would render it invalid).

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

AFFIRMED.