

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

FEB 27 2017

FOR THE NINTH CIRCUIT

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

VICTOR MANUEL TAGLE,

No. 16-15556

Plaintiff-Appellant,

D.C. No. 2:15-cv-00881-JCM-PAL

v.

MEMORANDUM*

CLARK COUNTY; et al.,

Defendants-Appellees.

Appeal from the United States District Court
for the District of Nevada
James C. Mahan, District Judge, Presiding

Submitted February 14, 2017**

Before: GOODWIN, FARRIS, and FERNANDEZ, Circuit Judges.

Nevada state prisoner Victor Manuel Tagle appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action brought on behalf of his minor children for alleged violations of their various constitutional rights. We have jurisdiction under 28 U.S.C. § 1291. We review de novo. *Johns v. County of*

* 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).

San Diego, 114 F.3d 874, 877 (9th Cir. 1997). We affirm.

The district court properly dismissed Tagle’s § 1983 action because “a parent or guardian cannot bring an action on behalf of a minor child without retaining a lawyer.” *Id.* at 877. Because Tagle lacked standing, the district court properly determined that it lacked jurisdiction to hear Tagle’s “Motion to Request Court’s/Case’s Records.” *See Clapper v. Amnesty Int’l USA*, 133 S. Ct. 1138, 1146 (2013) (standing is jurisdictional prerequisite).

We reject as unsupported by the record Tagle’s contentions that the district court discriminated against him based on his financial status and was biased in favor of defendants.

We do not consider matters not specifically and distinctly raised and argued in the opening brief. *See Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009) (per curiam).

Tagle’s motions, filed on December 20, 2016, are denied.

AFFIRMED.