

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

FEB 22 2019

FOR THE NINTH CIRCUIT

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

ADIL HIRAMANNEK; RODA
HIRAMANNEK,

Plaintiffs-Appellants,

v.

SUPERIOR COURT FOR COUNTY OF
SANTA CLARA; BETH MILLER,

Defendants-Appellees.

No. 17-16436

D.C. No. 3:13-cv-00228-JD

MEMORANDUM*

Appeal from the United States District Court
for the Northern District of California
James Donato, District Judge, Presiding

Submitted February 19, 2019**

Before: FERNANDEZ, SILVERMAN, and WATFORD, Circuit Judges.

Adil Hirananeek and Roda Hirananeek appeal pro se from the district court's order awarding costs to the prevailing defendants. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion, *Save Our Valley v. Sound*

* 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).

Transit, 335 F.3d 932, 944 n.12 (9th Cir. 2003), and we affirm.

The district court did not abuse its discretion by awarding costs to defendants under Fed. R. Civ. P. 54(d)(1). *See Draper v. Rosario*, 836 F.3d 1072, 1087 (9th Cir. 2016) (“We have interpreted Rule 54(d)(1) as creating a presumption for awarding costs to prevailing parties; the losing party must show why costs should not be awarded.” (citation and internal quotation marks omitted)). Contrary to the Hirananeks’ contentions, the district court reviewed the requested costs, reduced the cost bill considerably, and considered the Hirananeks’ arguments concerning their limited financial resources before affirming the adjusted cost award.

We reject as unsupported by the record the Hirananeks’ contentions that defendants committed a fraud on the court and the district court was biased against them.

All pending requests and motions are denied.

AFFIRMED.