

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

NOV 25 2019

FOR THE NINTH CIRCUIT

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

TONATIHU AGUILAR,

No. 19-16412

Plaintiff-Appellant,

D.C. No. 2:18-cv-00336-DJH-MHB

v.

MEMORANDUM*

CHARLES L. RYAN; et al.,

Defendants.

Appeal from the United States District Court
for the District of Arizona

Diane J. Humetewa, District Judge, Presiding

Submitted November 18, 2019**

Before: CANBY, TASHIMA, and CHRISTEN, Circuit Judges.

Arizona state prisoner Tonatihu Aguilar appeals pro se from the district court's order denying his amended emergency motion for a preliminary injunction in his 42 U.S.C. § 1983 action alleging a First Amendment retaliation claim. We have jurisdiction under 28 U.S.C. § 1292(a)(1). We review for an abuse 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).

discretion. *Jackson v. City & County of San Francisco*, 746 F.3d 953, 958 (9th Cir. 2014). We affirm.

The district court did not abuse its discretion by denying a preliminary injunction because Aguilar failed to establish a relationship between the requested injunctive relief and defendant Henderson. *See Pac. Radiation Oncology, LLC v. Queen's Med. Ctr.*, 810 F.3d 631, 636 (9th Cir. 2015) (absent a sufficient nexus between the claims raised in a motion for injunctive relief and the claims set forth in the underlying complaint, the district court lacks authority to grant the relief requested).

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).

AFFIRMED.