

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

NOV 25 2022

FOR THE NINTH CIRCUIT

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

PROCENTURY INSURANCE COMPANY,

No. 21-56379

Plaintiff-Appellee,

D.C. No. 2:10-cv-07293-PA-FFM

v.

MEMORANDUM*

A. EDWARD EZOR, DBA The Law Offices
of A. Edward Ezor,

Defendant-Appellant.

Appeal from the United States District Court
for the Central District of California
Percy Anderson, District Judge, Presiding

Submitted November 15, 2022**

Before: CANBY, CALLAHAN, and BADE, Circuit Judges.

A. Edward Ezor appeals pro se from the district court's order denying his motion to set aside its renewal of judgment in ProCentury Insurance Company's ("ProCentury") diversity action. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion. *Casey v. Albertson's Inc.*, 362 F.3d 1254,

* 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).

1257 (9th Cir. 2004). We affirm.

The district court did not abuse its discretion in denying Ezor’s motion because ProCentury’s application for renewal of judgment was consistent with California law. *See* Cal. Civ. Proc. Code § 683.130(a) (stating a money judgment may be renewed by filing application within 10 years of original judgment); *In re Levander v. Prober (In re Levander)*, 180 F.3d 1114, 1121 (9th Cir. 1999) (noting that Rule 69(a) “permits judgment creditors to use any execution method consistent with the practice and procedure of the state in which the district court sits” (quotation marks omitted)); *Goldman v. Simpson*, 72 Cal. Rptr. 3d 729, 733 (Ct. App. 2008) (“We also note that there is no statutory requirement that the notice of renewal be served on the judgment debtor in order for the renewal to be effective.”).

The district court did not abuse its discretion in denying Ezor’s motion to recuse the district judge because Ezor failed to demonstrate that a reasonable person would believe the judge’s impartiality could be questioned. *See United States v. Hernandez*, 109 F.3d 1450, 1453-54 (9th Cir. 1997) (setting forth standard of review and discussing standard for recusal under 28 U.S.C. §§ 144 and 455).

The district court did not abuse its discretion in denying Ezor’s motion for reconsideration because Ezor set forth no valid grounds for reconsideration. *See Sch. Dist. No. 1J, Multnomah County, Or. v. ACandS, Inc.*, 5 F.3d 1255, 1262-63

(9th Cir. 1993) (setting forth standard of review and grounds for reconsideration under Federal Rules of Civil Procedure 59 and 60).

The district court did not abuse its discretion in denying Ezor's motion to strike because Ezor did not demonstrate grounds to strike the application for renewal of judgment. *See United States v. \$133,420.00 in U.S. Currency*, 672 F.3d 629, 637 (9th Cir. 2012) (setting forth standard of review).

AFFIRMED.