

FILED

UNITED STATES COURT OF APPEALS

APR 28 2009

FOR THE NINTH CIRCUIT

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

MATTHEW ROBERT YOUNG,

Plaintiff - Appellant,

v.

INTEL CORPORATION; et al.,

Defendants - Appellees.

No. 09-35164

D.C. No. 3:08-CV-01496-BR

District of Oregon,

Portland

ORDER

Before: WALLACE, LEAVY and BEA, Circuit Judges.

A review of the record demonstrates that this court lacks jurisdiction over this appeal because the order challenged in the appeal is not final or appealable.

See WMX Techs., Inc. v. Miller, 104 F.3d 1133, 1136 (9th Cir. 1997) (dismissal of complaint with leave to amend is not appealable). Consequently, this appeal is dismissed for lack of jurisdiction.