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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>MICHAEL R. ROBINSON, LCSW,</p> <p>Plaintiff - Appellant,</p> <p>v.</p> <p>DEBRA RINAUDO; et al.,</p> <p>Defendants - Appellees.</p>
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No. 07-16792

D.C. No. CV-05-01541-EHC

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Arizona  
Earl H. Carroll, District Judge, Presiding

Submitted May 12, 2008\*\*

Before: KOZINSKI, Chief Judge, THOMAS and CALLAHAN, Circuit Judges.

Appellant Michael R. Robinson, LCSW, appeals the district court's judgment and order granting appellees' motion for summary judgment on res

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

judicata grounds.

This court reviews the district court's grant of summary judgment de novo. *See, e.g., City of Martinez v. Texaco Trading & Transp., Inc.*, 353 F.3d 758, 761 (9th Cir. 2003).

A review of the record, the opening brief and appellant's response to this court's order to show cause indicates that the district court correctly determined that the claims raised by appellant in this action were barred by res judicata following a decision on the merits of appellant's state court complaint. *See Olsen v. Morris*, 188 F.3d 1083, 1086 (9th Cir. 1999).

Accordingly, we summarily affirm the district court's judgment because the questions raised in this appeal are so insubstantial as not to require further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam).

All pending motions are denied as moot.

**AFFIRMED.**