

DEC 10 2008

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

CHESTER LEE MARKS,

Plaintiff - Appellant,

v.

TOWER CLEANERS; et al.,

Defendants - Appellees.

No. 08-17167

D.C. No. 2:08-cv-01383-FJM

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
Frederick J. Martone, District Judge, Presiding

Submitted December 1, 2008**

Before: GOODWIN, CLIFTON and BEA, Circuit Judges.

A review of the record and appellant's opening brief indicates that the questions raised in this appeal are so insubstantial as not to require further

* 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).

argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard).

Accordingly, we summarily affirm the district court's judgment.

AFFIRMED.