

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FILED

FOR THE NINTH CIRCUIT

JAN 14 2009

MIHRETU BULTI DASISA,

Plaintiff - Appellant,

v.

CALIFORNIA STATE UNIVERSITY
BOARD OF EDUCATION, Trustee,

Defendant - Appellee.

No. 07-16454

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

D.C. No. CV-06-02750-LKK/EFB

MEMORANDUM *

Appeal from the United States District Court
for the Eastern District of California
Lawrence K. Karlton, District Judge, Presiding

Submitted December 17, 2008**

Before: GOODWIN, WALLACE, and RYMER, Circuit Judges.

Mihretu Bulti Dasisa appeals pro se from the district court's order denying his motion for relief from judgment under Fed. R. Civ. P. 60(b). We have jurisdiction pursuant to 28 U.S.C. § 1291. We grant Dasisa permission to proceed

* 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).

in forma pauperis on appeal. We review for an abuse of discretion, *Latshaw v. v. Trainer Wortham & Co., Inc.*, 452 F.3d 1097, 1100 (9th Cir. 2006), and we affirm.

We lack jurisdiction to review Dasisa's challenges to the underlying judgment because the notice of appeal was filed more than thirty days after both entry of the judgment and entry of the order disposing of a timely motion for reconsideration. *See* Fed. R. App. P. 4(a)(1)(A), (a)(4)(A)(vi); *United States v. Comprehensive Drug Testing, Inc.*, 513 F.3d 1085, 1096-97 (9th Cir. 2008).

The district court did not abuse its discretion by denying Dasisa's Rule 60(b) motion and rejecting his later filings, because Dasisa did not demonstrate any ground for relief from judgment or any basis for reconsideration. *See* Fed. R. Civ. P. 60(b); *Latshaw*, 452 F.3d at 1100-03.

AFFIRMED.