

FILED

UNITED STATES COURT OF APPEALS

JAN 21 2010

FOR THE NINTH CIRCUIT

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

<p>RAHINAH IBRAHIM, an individual,</p> <p style="text-align: center;">Plaintiff - Appellant,</p> <p style="text-align: center;">v.</p> <p>DEPARTMENT OF HOMELAND SECURITY; et al.,</p> <p style="text-align: center;">Defendants - Appellees.</p>

No. 09-17160

D.C. No. 3:06-cv-00545-WHA
Northern District of California,
San Francisco

ORDER

Before: SILVERMAN, PAEZ and BEA, Circuit Judges.

Appellant appeals from the district court’s order dismissing claims seeking injunctive and declaratory relief against various federal defendants.

The district court declined to enter final judgment as to the claims under Federal Rule of Civil Procedure 54(b), and denied appellant’s request to certify the interlocutory order under 28 U.S.C. § 1292(b).

Even assuming the order had the “practical effect of granting, denying, or modifying injunctive relief,” it is not appealable because appellant failed to show in her response to the motion to dismiss that dismissal of the claims had a “serious, perhaps irreparable, consequence” necessary to consider invoking this court’s jurisdiction pursuant to 28 U.S.C. § 1292(a)(1). *Carson v. American Brands, Inc.*, 450 U.S. 79, 83-84 (1981).

Accordingly, appellees' motion to dismiss this appeal for lack of jurisdiction is granted. *See id.*

DISMISSED.