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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>SHADRACK S. GOAD,</p> <p>Plaintiff - Appellant,</p> <p>v.</p> <p>MCT GROUP; et al.,</p> <p>Defendants - Appellees.</p>

No. 10-55615

D.C. No. 3:09-cv-01321-BTM-POR

MEMORANDUM*

Appeal from the United States District Court
for the Southern District of California
Barry T. Moskowitz, Chief Judge, Presiding

Submitted May 13, 2014**

Before: CLIFTON, BEA, and WATFORD, Circuit Judges.

Shadrack S. Goad appeals from the district court’s judgment on the pleadings in his action alleging violations of the Fair Debt Collection Practices Act (“FDCPA”) and the California Rosenthal Fair Debt Collection Practices Act (“RFDCPA”). We have jurisdiction under 28 U.S.C. § 1291. We review de novo.

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

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

MacDonald v. Grace Church Seattle, 457 F.3d 1079, 1081 (9th Cir. 2006). We affirm.

The district court properly granted judgment on the pleadings because the Bankruptcy Code precludes Goad's claims. *See Walls v. Wells Fargo Bank, N.A.*, 276 F.3d 502, 504, 510-11 (9th Cir. 2002) (holding that a discharged debtor may not bring a claim under the FDCPA regarding violation of a bankruptcy discharge injunction because it would "circumvent the Bankruptcy Code's remedial scheme"); *see also* Cal. Civ. Code § 1788.17 (the RFDCPA's incorporation by reference of the FDCPA).

We do not consider arguments raised for the first time on appeal. *See Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009) (*per curiam*).

AFFIRMED.