

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

AUG 05 2016

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

DENISE HELEN FULEIHAN,

Plaintiff-Appellant,

v.

WELLS FARGO BANK, NA; et al.,

Defendants-Appellees.

No. 14-15024

D.C. No. 2:13-cv-01145-JCM-
NJK

MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
James C. Mahan, District Judge, Presiding

Submitted July 26, 2016**

Before: SCHROEDER, CANBY, and CALLAHAN, Circuit Judges.

Denise Helen Fuleihan appeals pro se from the district court's judgment dismissing her diversity action alleging foreclosure-related claims. We have jurisdiction under 28 U.S.C. § 1291. We review de novo a dismissal on the basis of res judicata. *Cabrera v. City of Huntington Park*, 159 F.3d 374, 381 (9th Cir.

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

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

1998). We affirm.

The district court properly dismissed Fuleihan's action as barred by the doctrine of res judicata because Fuleihan's claims were raised, or could have been raised, in prior actions between the parties or their privies and those prior actions resulted in final judgments on the merits. *See id.* (elements of res judicata); *see also Tahoe Sierra Pres. Council, Inc. v. Tahoe Reg'l Planning Agency*, 322 F.3d 1064, 1081 (9th Cir. 2003) ("Even when the parties are not identical, privity may exist if there is substantial identity between parties, that is, when there is sufficient commonality of interest." (citation and internal quotation marks omitted)); *Stewart v. U.S. Bancorp*, 297 F.3d 953, 956-57 (9th Cir. 2002) (the doctrine of res judicata bars subsequent litigation both of claims that were raised and those that could have been raised in the prior action).

All pending motions are denied.

AFFIRMED.