

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

FEB 3 2017

FOR THE NINTH CIRCUIT

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

HORACIO C. RAZ; et al.,

No. 14-56290

Plaintiffs-Appellants,

D.C. No. 8:14-cv-00202-JLS-DFM

v.

MEMORANDUM*

WELLS FARGO BANK, NA, Its Assignees
and/or Successors,

Defendant,

and

QUALITY LOAN SERVICE
CORPORATION; et al.,

Defendants-Appellees.

Appeal from the United States District Court
for the Central District of California
Josephine L. Staton, District Judge, Presiding

Submitted January 18, 2017**

Before: TROTT, TASHIMA, and CALLAHAN, Circuit Judges.

* 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).

Plaintiffs Horacio C. Raz, Juliana G. Raz, and Rochelle G. Raz appeal pro se from the district court's order dismissing their action alleging federal and state law claims arising from foreclosure proceedings. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

The Razes have failed to address on appeal how the district court erred in dismissing any of their claims. Rather, the Razes raise new claims against defendants and allege errors in their bankruptcy and state court unlawful detainer actions. As a result, the Razes have waived their appeal of the district court's dismissal. *See Smith v. Marsh*, 194 F.3d 1045, 1052 (9th Cir. 1999) (“[O]n appeal, arguments not raised by a party in its opening brief are deemed waived.”); *Greenwood v. FAA*, 28 F.3d 971, 977 (9th Cir. 1994) (“We will not manufacture arguments for an appellant, and a bare assertion does not preserve a claim”); *see also Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009) (we do not consider arguments and allegations raised for the first time on appeal).

The Razes' pending motion, filed on March 9, 2015, is denied.

AFFIRMED.