

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAR 23 2017

FOR THE NINTH CIRCUIT

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

MYHRNA BLACK, FKA Myhrna Tenente,

No. 16-15730

Plaintiff-Appellant,

D.C. No. 3:15-cv-00332-MMD-
WGC

v.

NATHAN TODD YOUNG, Ninth Judicial
District Court Judge; et al.,

MEMORANDUM*

Defendants-Appellees.

Appeal from the United States District Court
for the District of Nevada
Miranda M. Du, District Judge, Presiding

Submitted March 8, 2017**

Before: LEAVY, W. FLETCHER, and OWENS, Circuit Judges.

Myrhna Black, FKA Myhrna Tenente, appeals pro se from the district court's judgment dismissing her action alleging federal and state law claims arising from the issuance of a subpoena in a Nevada state court proceeding. We have jurisdiction under 28 U.S.C. § 1291. We review de novo a district court's

* 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).

dismissal for failure to state a claim under Federal Rule of Civil Procedure 12(b)(6). *Hebbe v. Pliler*, 627 F.3d 338, 341 (9th Cir. 2010). We affirm.

The district court properly dismissed Black’s constitutional claims under 18 U.S.C. §§ 241 and 242 because those statutes do not provide a basis for civil liability. *See Aldabe v. Aldabe*, 616 F.2d 1089, 1092 (9th Cir. 1980) (holding that §§ 241 and 242 do not provide a basis for civil liability).

The district court did not abuse its discretion in declining to exercise supplemental jurisdiction over Black’s state law claims after dismissing Black’s federal claims. *See* 28 U.S.C. § 1367(c)(3) (permitting district court to decline supplemental jurisdiction if it has “dismissed all claims over which it has original jurisdiction”); *Costanich v. Dep’t of Soc. & Health Servs.*, 627 F.3d 1101, 1107 (9th Cir. 2010) (standard of review).

Contrary to Black’s contention, the district court properly denied defendants’ motions to dismiss as moot after dismissing the federal claims and declining to exercise supplemental jurisdiction over the state law claims.

Black’s request (Docket Entry No. 18) is denied.

AFFIRMED.