

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 16 2017

FOR THE NINTH CIRCUIT

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

KEVEN HUTSON,

Plaintiff-Appellant,

v.

ME CAPITAL LLC; et al.,

Defendants-Appellees.

No. 17-15101

D.C. No. 2:16-cv-01921-DGC

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
David G. Campbell, District Judge, Presiding

Submitted August 9, 2017**

Before: SCHROEDER, TASHIMA, and M. SMITH, Circuit Judges.

Keven Hutson appeals pro se from the district court's order dismissing his action alleging federal claims arising out of a foreclosure. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion a dismissal for

* 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).

failure to comply with a court order. *Pagtalunan v. Galaza*, 291 F.3d 639, 640 (9th Cir. 2002). We affirm.

The district court did not abuse its discretion by dismissing Hutson’s action without prejudice after Hutson failed to comply with the district court’s orders regarding preparation for the pre-trial conference, and failed to appear at the pretrial conference, despite being warned that failure to comply with court orders may result in dismissal. *See id.* at 642-43 (discussing the five factors for determining whether to dismiss for failure to comply with a court order and noting that dismissal should not be disturbed absent “a definite and firm conviction” that the district court “committed a clear error of judgment” (citation and internal quotation marks omitted)).

The district court did not abuse its discretion by denying Hutson’s motion for reconsideration because Hutson failed to establish any basis for reconsideration. *See Sch. Dist. No. 1J, Multnomah Cty., Or. v. ACandS, Inc.*, 5 F.3d 1255, 1262-63 (9th Cir. 1993) (setting forth standard of review and grounds for reconsideration).

We reject as meritless Hutson’s contentions that the district court was required to first address the issue of personal jurisdiction and had no authority to

act until service was complete.

AFFIRMED.