

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

DEC 26 2017

FOR THE NINTH CIRCUIT

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

KENNETH B. QUANSAH, Jr.,

No. 17-16244

Plaintiff-Appellant,

D.C. No. 5:16-cv-05667-EJD

v.

MEMORANDUM*

DEL CORONADO APARTMENTS; et al.,

Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of California
Edward J. Davila, District Judge, Presiding

Submitted December 18, 2017**

Before: WALLACE, SILVERMAN, and BYBEE, Circuit Judges.

Kenneth B. Quansah, Jr. appeals pro se from the district court's judgment dismissing his action for failure to effect proper service of the summons and complaint under Federal Rule of Civil Procedure 4(m). We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion, *Oyama v. Sheehan* (*In re*

* 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).

Sheehan), 253 F.3d 507, 511 (9th Cir. 2001), and we affirm.

The district court did not abuse its discretion by dismissing Quansah's action because Quansah failed to effect proper service of the summons and complaint and did not demonstrate good cause for failing to serve properly, despite being given notice and an opportunity to do so. *See* Fed. R. Civ. P. 4(m) (outlining requirements for proper service, and explaining that district court may dismiss an action for failure to serve "after notice to the plaintiff"); *In re Sheehan*, 253 F.3d at 512 (discussing Rule 4(m)'s "good cause" standard).

Quansah's request for attorney's fees, set forth in his opening brief, is denied.

AFFIRMED.