

NOT FOR PUBLICATION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

PHILLIP ALEXANDER,

Plaintiff-Appellant,

v.

PAUL BROWN FARMERS INSURANCE
AGENCY, LLC,

Defendant-Appellee.

No. 17-16741

D.C. No. 2:17-cv-01623-APG-PAL

MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
Andrew P. Gordon, District Judge, Presiding

Submitted December 18, 2017**

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

The order to show cause (Docket Entry No. 2) is discharged.

Phillip Alexander appeals pro se from the district court's judgment dismissing for lack of subject matter jurisdiction his action seeking damages related to an automobile accident. We have jurisdiction under 28 U.S.C. § 1291.

* 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).

We review de novo, *Naffe v. Frey*, 789 F.3d 1030, 1035 (9th Cir. 2015), and we affirm.

The district court properly dismissed Alexander's action for lack of subject matter jurisdiction because Alexander failed to allege facts sufficient to show that there is complete diversity between the parties. *See* 28 U.S.C. § 1332(a); *Naffe*, 789 F.3d at 1039 (setting forth elements of diversity jurisdiction).

We reject as without merit Alexander's contentions regarding default judgment.

AFFIRMED.