

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUN 18 2019

FOR THE NINTH CIRCUIT

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

MICHAEL HUCUL,

Plaintiff-Appellant,

v.

NAVY FEDERAL CREDIT UNION,

Defendant-Appellee.

No. 18-55177

D.C. No. 3:17-cv-02238-DMS-
MDD

MEMORANDUM*

Appeal from the United States District Court
for the Southern District of California
Dana M. Sabraw, District Judge, Presiding

Submitted June 11, 2019**

Before: CANBY, GRABER, and MURGUIA, Circuit Judges.

Michael Hucul appeals pro se from the district court's judgment dismissing his action alleging that defendant violated the Right to Financial Privacy Act ("RFPA") by disclosing his financial information to a state agency. 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 under Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim. *Cervantes v. Countrywide Home Loans, Inc.*, 656 F.3d 1034, 1040 (9th Cir. 2011). We affirm.

The district court properly dismissed Hucul's action because section 3403(a) of the RFOIA governs financial disclosures only to the federal government and its employees. *See* 12 U.S.C. § 3403(a) (prohibiting financial institutions from releasing financial records to any "Government authority"); *see also id.* § 3401(3) (defining "Government authority" to mean any agency or department of the United States).

AFFIRMED.