

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

SEP 15 2020

FOR THE NINTH CIRCUIT

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

MARK DAVISCOURT,

Plaintiff-Appellant,

v.

GWANNETTE M. CLAYBROOK, Acting
Director, IRS Western Area Collection; et
al.,

Defendants-Appellees.

No. 19-35873

D.C. No. 2:18-cv-01148-RAJ

MEMORANDUM*

Appeal from the United States District Court
for the Western District of Washington
Richard A. Jones, District Judge, Presiding

Submitted September 8, 2020**

Before: TASHIMA, SILVERMAN, and OWENS, Circuit Judges.

Mark Daviscourt appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1985(3) action stemming from the government's efforts to collect on Daviscourt's federal tax liability. We have jurisdiction under 28

* 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).

U.S.C. § 1291. We review de novo the district court’s dismissal for failure to state a claim under Fed. R. Civ. P. 12(b)(6). *Cholla Ready Mix, Inc. v. Civish*, 382 F.3d 969, 973 (9th Cir. 2004). We affirm.

The district court properly dismissed Davis court’s action because Davis court failed to allege facts sufficient to show that defendants conspired to violate his civil rights due to his mental illness. *See Karim-Panahi v. L.A. Police Dep’t*, 839 F.2d 621, 626 (9th Cir. 1988) (elements of a claim under § 1985(3)); *id.* at 626 (explaining that “[a] mere allegation of conspiracy without factual specificity is insufficient” to state a § 1985(3) conspiracy claim).

All pending motions are denied.

AFFIRMED.