

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

JUL 17 2020

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

MICHAEL HUCUL, Relator,

Plaintiff-Appellant,

and

UNITED STATES OF AMERICA, ex. rel.,

Plaintiff,

v.

STATE OF CALIFORNIA; et al.,

Defendants-Appellees.

No. 19-56056

D.C. No. 3:18-cv-01306-DMS-LL

MEMORANDUM\*

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

Submitted July 14, 2020\*\*

Before: CANBY, FRIEDLAND, and R. NELSON, Circuit Judges.

Michael Hucul appeals pro se from the district court's judgment dismissing

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\* 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).

his qui tam action alleging violations of the False Claims Act. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion a district court's dismissal for failure to comply with a court order. *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). We affirm.

The district court did not abuse its discretion by dismissing Hucul's qui tam action for failure to comply with court orders because Hucul failed to comply with the district court's orders to retain counsel after being warned that failure to retain counsel would result in dismissal of the action, and being provided with an extension of time to do so. *See* S.D. Cal. Civ. R. 83.1(a) (failure to comply with a court order may be grounds for dismissal); *Bias v. Moynihan*, 508 F.3d 1212, 1223 (9th Cir. 2007) (this court gives "[b]road deference" to a district court's application of its local rules); *Stoner v. Santa Clara Cty. Office of Educ.*, 502 F.3d 1116, 1126-27 (9th Cir. 2007) (a pro se relator cannot prosecute a qui tam action under the Federal Claims Act on behalf of the United States). We reject as meritless Hucul's contention that the district court should have allowed him to amend his complaint, as amendment would not have remedied Hucul's pro se status.

**AFFIRMED.**