

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUL 20 2022

FOR THE NINTH CIRCUIT

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

BILLY L. EDWARDS, AKA Lord Punchall,

No. 21-15612

Plaintiff-Appellant,

D.C. No. 4:20-cv-00350-RM

v.

MEMORANDUM\*

MISCHEL L. GRISHAM, named as Susann  
Martinez Administration; et al.,

Defendants-Appellees.

Appeal from the United States District Court  
for the District of Arizona  
Rosemary Márquez, District Judge, Presiding

Submitted July 12, 2022\*\*

Before: SCHROEDER, R. NELSON, and VANDYKE, Circuit Judges.

Billy L. Edwards appeals pro se from the district court's judgment dismissing his action alleging violations of federal law arising from a real estate transaction in New Mexico. We have jurisdiction under 28 U.S.C. § 1291. We review de novo a dismissal for improper venue. *Immigrant Assistance Project of*

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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).

*the L.A. County Fed'n of Labor (AFL-CIO) v. INS*, 306 F.3d 842, 868 (9th Cir. 2002). We affirm.

The district court properly dismissed Edwards's action for improper venue because Edwards failed to establish that all of the defendants reside in Arizona or that a substantial part of the events giving rise to his claims occurred there. *See* 28 U.S.C. § 1391(b)(1), (2) (describing where a civil action may be brought).

Contrary to Edwards's contentions, defendants were entitled to file a motion to dismiss in lieu of an answer. *See* Fed. R. Civ. P. 12(b).

We do not consider arguments and allegations raised for the first time on appeal. *See Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009).

All pending motions and requests are denied.

**AFFIRMED.**