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U.S. COURT OF APPEALS

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UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JONATHAN B. WOODS and KERRIE WOODS, Plaintiffs - Appellants, v. TAYLOR BEAN & WHITAKER MORTGAGE CORPORATION, Defendant - Appellee.	No. 12-17483 D.C. No. 2:10-cv-00723-GMS MEMORANDUM[*]

Appeal from the United States District Court
for the District of Arizona
G. Murray Snow, District Judge, Presiding

Submitted December 9, 2015[**]

Before: WALLACE, RAWLINSON, and IKUTA, Circuit Judges.

Jonathan B. Woods and Kerrie Woods appeal pro se from the district court's dismissal of their diversity action arising out of foreclosure proceedings. We have jurisdiction under 28 U.S.C. § 1291. We review de novo a dismissal under Federal

[*] This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

[**] The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Rule of Civil Procedure 12(b)(6). *Cervantes v. Countrywide Home Loans, Inc.*, 656 F.3d 1034, 1040 (9th Cir. 2011). We affirm.

The district court properly dismissed Plaintiffs' claims against BAC Home Loans Servicing LP and Mortgage Electronic Registration Systems Incorporated because "Arizona's non-judicial foreclosure statutes do not require the beneficiary to prove its authority or 'show the note' before the trustee may commence a non-judicial foreclosure." *Hogan v. Wash. Mut. Bank, N.A.*, 277 P.3d 781, 783-84 (Ariz. 2012) (en banc).

The district court did not abuse its discretion in denying plaintiffs' leave to amend because it had previously granted the Plaintiffs' motion for leave to file an amended complaint. *See, e.g.*, *Gonzalez v. Planned Parenthood of L.A.*, 759 F.3d 1112, 1114, 1116 (9th Cir. 2014) (setting forth the standard of review and explaining that "the district court's discretion in denying amendment is 'particularly broad' when it has previously given leave to amend").

AFFIRMED.