

DEC 03 2014

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

GEONNI ORDELLI,

Plaintiff - Appellant,

v.

MARK J. FARRELL; et al.,

Defendants - Appellees.

No. 13-35303

D.C. No. 3:12-cv-01791-SI

MEMORANDUM*

Appeal from the United States District Court
for the District of Oregon
Michael H. Simon, District Judge, Presiding

Submitted November 18, 2014**

Before: LEAVY, FISHER, and N.R. SMITH, Circuit Judges.

Geonni Ordelli appeals pro se from the district court's judgment dismissing her action, alleging, among other claims, violations of the Fair Housing Act ("FHA"), 42 U.S.C. § 3604(a)-(b). We have jurisdiction under 28 U.S.C. § 1291. We review de novo a sua sponte dismissal for failure to state a claim, *Barrett v.*

* 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).

Belleque, 544 F.3d 1060, 1061 (9th Cir. 2008) (per curiam), and we affirm.

The district court properly dismissed Ordelli's FHA claim because Ordelli failed to allege facts sufficient to show that defendants engaged in any discriminatory housing practice or treated her differently than her roommates based on her sex or familial status. *See* 42 U.S.C. § 3604(a)-(b) (prohibiting discrimination based on sex and familial status by landlords in connection with a dwelling); *Gamble v. City of Escondido*, 104 F.3d 300, 304 (9th Cir. 1997) (applying Title VII discrimination analysis to FHA claims).

We reject Ordelli's contentions that the district judge was biased against her, and that the district court could have exercised jurisdiction under 42 U.S.C. § 1983 because Ordelli did not sue any state actors. *Price v. Hawaii*, 939 F.2d 702, 707-08 (9th Cir. 1991).

We deny as moot appellees' motion to strike, set forth in their answering brief.

AFFIRMED.