

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

NOV 7 2016

FOR THE NINTH CIRCUIT

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

JOSEPH LOUIS KEYS,

Plaintiff-Appellant,

v.

WHITNEY BOKOSKY,

Defendant-Appellee.

No. 15-55775

D.C. No. 8:15-cv-00240-JVS-JCG

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
James V. Selna, District Judge, Presiding

Submitted October 25, 2016**

Before: LEAVY, GRABER, and CHRISTEN, Circuit Judges.

Joseph Louis Keys appeals pro se from the district court's judgment dismissing his action alleging wrongful conduct by defendant, an Orange County Deputy District Attorney, arising from a prior criminal conviction against Keys.

We have jurisdiction under 28 U.S.C. § 1291. We review de novo the district

* 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).

court's dismissal for lack of subject matter jurisdiction. *Crum v. Circus Circus Enters.*, 231 F.3d 1129, 1130 (9th Cir. 2000). We affirm.

The district court properly dismissed Keys's action for lack of subject matter jurisdiction because Keys failed to allege facts sufficient to show that his claims arose under federal law. *See* 28 U.S.C. § 1331; *Republican Party of Guam v. Gutierrez*, 277 F.3d 1086, 1089 (9th Cir. 2002) ("federal jurisdiction exists only when a federal question is presented on the face of plaintiff's properly pleaded complaint." (internal citation and quotation marks omitted)).

AFFIRMED.