

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

OCT 5 2017

FOR THE NINTH CIRCUIT

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

MARINA CALOVE,

Plaintiff-Appellant,

v.

NATIONSTAR MORTGAGE, LLC,

Defendant-Appellee.

No. 16-16044

D.C. No. 2:14-cv-01329-JAD-NJK

MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
Jennifer A. Dorsey, District Judge, Presiding

Submitted September 26, 2017**

Before: SILVERMAN, TALLMAN, and N.R. SMITH, Circuit Judges.

Marina Calove appeals pro se from the district court's judgment dismissing her action alleging a violation of the Fair Debt Collection Practices Act ("FDCPA"). We have jurisdiction under 28 U.S.C. § 1291. We review de novo a district court's dismissal under Federal Rule of Civil Procedure 12(b)(6). *Mashiri*

* 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).

v. Epstein Grinnell & Howell, 845 F.3d 984, 988 (9th Cir. 2017). We affirm.

The district court properly dismissed Calove’s claim under 15 U.S.C. § 1692g(b) because notice disputing the alleged debt was made more than thirty days after the initial communication about the debt. *See* 15 U.S.C. § 1692g(b) (written dispute by the debtor must be made within thirty days after receipt of the initial communication about the debt); *Mahon v. Credit Bureau of Placer Cty. Inc.*, 171 F.3d 1197, 1203 (9th Cir. 1999) (“[A] tardy request for verification of the debt . . . [does] not trigger any obligation . . . to verify the debt.”). We reject as without merit Calove’s contention that she alleged other violations of the FDCPA in the operative complaint.

We do not consider matters not specifically and distinctly raised and argued in the opening brief, or 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 requests are denied.

AFFIRMED.