

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

OCT 31 2017

FOR THE NINTH CIRCUIT

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

MARKHAM SPEROS,

Plaintiff-Appellant,

v.

CWALT, INC. ALTERNATIVE LOAN
TRUST 2005-62 MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES
2005-62; et al.,

Defendants-Appellees,

and

DOES, 1-10,

Defendant.

No. 17-55351

D.C. No. 3:16-cv-02018-WQH-
WVG

MEMORANDUM*

Appeal from the United States District Court
for the Southern District of California
William Q. Hayes, District Judge, Presiding

Submitted October 23, 2017**

Before: McKEOWN, WATFORD, and FRIEDLAND, Circuit Judges.

* 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).

Markham Speros appeals pro se from the district court's judgment dismissing his action alleging federal and state law claims related to foreclosure proceedings. We have jurisdiction under 28 U.S.C. § 1291. We review de novo a dismissal on the basis of res judicata. *Stewart v. U.S. Bancorp*, 297 F.3d 953, 956 (9th Cir. 2002). We affirm.

The district court properly dismissed Speros' action as barred by the doctrine of res judicata because Speros' claims were raised, or could have been raised, in his prior action between the parties or their privies, and that action resulted in a final judgment on the merits. *See id.* (setting forth elements of res judicata under federal law).

Speros' request to file an oversized reply brief (Docket Entry No. 15) is granted. The Clerk shall file the reply brief submitted at Docket Entry No. 14.

AFFIRMED.