

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 27 2019

FOR THE NINTH CIRCUIT

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

JAMES LINLOR,

Plaintiff-Appellant,

v.

WILLIAM WHETSELL,

Defendant-Appellee.

No. 18-17206

D.C. No. 3:18-cv-00096-MMD-  
CBC

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Nevada  
Miranda M. Du, District Judge, Presiding

Submitted August 19, 2019\*\*

Before: SCHROEDER, PAEZ, and HURWITZ, Circuit Judges.

James Linlor appeals pro se from the district court's judgment dismissing his action brought under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), against a Transportation Security Administration supervisor for failure to collect and preserve evidence of an excessive force

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\* 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).

incident. We have jurisdiction under 28 U.S.C. § 1291. We review de novo. *Ochoa v. J.B. Martin & Sons Farms, Inc.*, 287 F.3d 1182, 1187 (9th Cir. 2002).

We affirm.

The district court properly dismissed Linlor’s action because Linlor failed to allege facts sufficient to establish personal jurisdiction over defendant Whetsell. *See Walden v. Fiore*, 571 U.S. 277, 283-86 (2014) (discussing the requirements for specific personal jurisdiction and explaining that “the plaintiff cannot be the only link between the defendant and the forum”); *Schwarzenegger v. Fred Martin Motor Co.*, 374 F.3d 797, 801 (9th Cir. 2004) (requirements for general personal jurisdiction); *see also Gilbert v. DaGrossa*, 756 F.2d 1455, 1460 (9th Cir. 1985) (28 U.S.C. § 1391(e) “does not apply to actions for money damages brought against federal officials in their individual capacities”).

Linlor’s requests for publication and transfer to the Eastern District of Virginia, set forth in the reply brief, are denied.

**AFFIRMED.**