

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAR 24 2021

FOR THE NINTH CIRCUIT

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

JANET C. HOWELL,

Plaintiff-Appellant,

and

LETICIA LAGERA; SABADO, FRANCO
AND ARUCAN FAMILY,

Plaintiffs,

v.

UNITED STATES OF AMERICA, & 50
States,

Defendants-Appellees.

No. 20-16466

D.C. No. 1:20-cv-00285-JAO-KJM

MEMORANDUM*

Appeal from the United States District Court
for the District of Hawaii
Jill Otake, District Judge, Presiding

Submitted March 16, 2021**

Before: GRABER, R. NELSON, and HUNSAKER, 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).

Janet C. Howell appeals pro se from the district court's judgment dismissing sua sponte her action alleging various claims. We have jurisdiction under 28 U.S.C. § 1291. We review de novo a district court's dismissal for lack of subject matter jurisdiction. *Carolina Cas. Ins. Co. v. Team Equip., Inc.*, 741 F.3d 1082, 1086 (9th Cir. 2014). We affirm.

The district court properly dismissed without prejudice Howell's action for lack of subject matter jurisdiction because Howell failed to allege any violation of federal law or diversity of citizenship. See 28 U.S.C. §§ 1331, 1332(a); *Kuntz v. Lamar Corp.*, 385 F.3d 1177, 1181-83 (9th Cir. 2004) (addressing diversity of citizenship under § 1332); *Wander v. Kaus*, 304 F.3d 856, 858-59 (9th Cir. 2002) (discussing requirements for federal question jurisdiction under § 1331).

Howell's motion for appointment of counsel, set forth in the opening brief, is denied.

AFFIRMED.