

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAR 29 2024

FOR THE NINTH CIRCUIT

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

TATYANA EVGENIEVNA DREVALEVA,

No. 23-15308

Plaintiff-Appellant,

D.C. No. 4:22-cv-04995-HSG

v.

MEMORANDUM\*

DENIS McDONOUGH, in his official  
capacity as Secretary of the U.S. Department  
of Veterans Affairs; UNITED STATES OF  
AMERICA; DEPARTMENT OF  
VETERANS AFFAIRS,

Defendants-Appellees.

Appeal from the United States District Court  
for the Northern District of California  
Haywood S. Gilliam, Jr., District Judge, Presiding

Submitted March 26, 2024\*\*

Before: TASHIMA, SILVERMAN, and KOH, Circuit Judges.

Tatyana Evgenievna Drevaleva appeals pro se from the district court's  
judgment dismissing her action alleging federal and state law claims. We have

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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).

jurisdiction under 28 U.S.C. § 1291. We review de novo. *Stewart v. U.S. Bancorp*, 297 F.3d 953, 956 (9th Cir. 2002) (dismissal based on claim preclusion); *Omar v. Sea-Land Serv., Inc.*, 813 F.2d 986, 991 (9th Cir. 1987) (sua sponte dismissal under Fed. R. Civ. P. 12(b)(6)). We affirm.

The district court properly dismissed Drevaleva's action on the basis of claim preclusion because Drevaleva raised, or could have raised, her claims in her prior federal actions, which involved the same parties or their privies and resulted in final judgments on the merits. *See Mpoyo v. Litton Electro-Optical Sys.*, 430 F.3d 985, 987 (9th Cir. 2005) (setting forth elements of claim preclusion under federal law).

The motion to file an oversized opening brief (Docket Entry No. 11) is granted. The Clerk will file the opening brief submitted at Docket Entry No. 12. The motion for an extension of time to serve the opening brief (Docket Entry No. 18) is denied as unnecessary.

All other pending motions are denied.

**AFFIRMED.**