

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAR 28 2024

FOR THE NINTH CIRCUIT

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

STEVEN C. LEVI,

Plaintiff-Appellant,

v.

ANCHORAGE SCHOOL DISTRICT; et al.,

Defendants-Appellees.

No. 23-35170

D.C. No. 3:22-cv-00162-JMK

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Alaska  
Joshua M. Kindred, District Judge, Presiding

Submitted March 26, 2024\*\*

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

Steven C. Levi appeals pro se from the district court's judgment dismissing his action alleging various federal claims. We have jurisdiction under 28 U.S.C. § 1291. We review de novo. *Watison v. Carter*, 668 F.3d 1108, 1112 (9th Cir. 2012) (dismissal under 28 U.S.C. § 1915(e)(2)(B)(ii)); *Mpoyo v. Litton Electro-*

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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).

*Optical Sys.*, 430 F.3d 985, 987 (9th Cir. 2005) (dismissal under res judicata). We affirm.

The district court properly dismissed Levi's claims concerning his unemployment benefits as barred by res judicata because Levi previously raised nearly identical claims against the same defendants or their privies in a prior federal action that resulted in a final judgment on the merits. *See Mpooyo*, 430 F.3d at 987-88 (elements of federal res judicata).

To the extent any of Levi's claims are not barred by res judicata, dismissal of those claims was proper because Levi failed to allege facts sufficient to state any plausible claim. *See Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (to avoid dismissal, "a complaint must contain sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face" (citation and internal quotation marks omitted)).

**AFFIRMED.**