

JUL 06 2009

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

TERRENCE DICKINSON,

Plaintiff - Appellant,

v.

OCWEN LOAN SERVICING, LLC; et al.,

Defendants - Appellees,

and

DELTA FUNDING CORPORATION; et
al.,

Defendants.

No. 08-16945

D.C. No. 2:08-cv-00023-RCJ-
GWF

MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
Robert Clive Jones, District Judge, Presiding

Submitted June 16, 2009**

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Before: PAEZ, TALLMAN, and N.R. SMITH, Circuit Judges.

Terrence Dickinson appeals pro se from the district court's judgment dismissing his action alleging violations of the Truth in Lending Act, 15 U.S.C. § 1601 *et seq.*, and Regulation Z, 12 C.F.R. § 226. We have jurisdiction pursuant to 28 U.S.C. § 1291. We review de novo. *Crevier v. Welfare & Pension Fund for Local 701 (In re Crevier)*, 820 F.2d 1553, 1555 (9th Cir. 1987). We vacate and remand for further proceedings.

During the July 21, 2008 hearing on Dickinson's motion for relief from the order dismissing his action, the district court stated that, because Dickinson may have a valid claim under the Truth in Lending Act, the dismissal of his action would be without prejudice. Shortly thereafter, and without further explanation, the district court issued its judgment, dismissing Dickinson's action with prejudice. Because it is not clear that the judgment reflects the intent of the district court, we vacate the judgment and remand to the district court for clarification.

In light of this disposition, we do not consider Dickinson's remaining contentions.

Appellees shall bear the costs on appeal.

VACATED and REMANDED.