

DEC 08 2009

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

LAURIE MARIE LASKEY,

Plaintiff - Appellant,

v.

VERIZON WIRELESS POWER
PARTNERS, INC.,

Defendant - Appellee.

No. 08-17740

D.C. No. 3:08-cv-03032-WHA

MEMORANDUM*

Appeal from the United States District Court
for the Northern District of California
William H. Alsup, District Judge, Presiding

Submitted November 17, 2009**

Before: ALARCÓN, TROTT, and TASHIMA, Circuit Judges.

Laurie Marie Laskey appeals pro se from the district court's judgment
dismissing her diversity action against Verizon Wireless Power Partners, Inc. for

* 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).

failure to state a claim. We have jurisdiction pursuant to 28 U.S.C. § 1291. We review de novo. *Madison v. Graham*, 316 F.3d 867, 869 (9th Cir. 2002). We affirm.

The district court did not err because the vague and incomprehensible allegations in Laskey's complaint did not comply with Federal Rule of Civil Procedure 8. *See Ivey v. Bd. of Regents*, 673 F.2d 266, 268 (9th Cir. 1982) (explaining that vague allegations are not sufficient to withstand a motion to dismiss); *see also Ferdik v. Bonzelet*, 963 F.2d 1258, 1261 (9th Cir. 1992) (noting that the district court's discretion to deny leave to amend is particularly broad where it has afforded plaintiff one or more opportunities to amend).

We do not consider Laskey's arguments raised for the first time on appeal. *See Bias v. Moynihan*, 508 F.3d 1212, 1223 (9th Cir. 2007).

Laskey's remaining contentions are unpersuasive.

AFFIRMED.