

JUN 17 2010

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MICHAEL F. DIESSNER, an individual,

Plaintiff - Appellant,

v.

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC. and
AURORA LOAN SERVICES, LLC,

Defendants - Appellees.

No. 09-16497

D.C. No. 2:09-cv-00095-JWS

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
John W. Sedwick, District Judge, Presiding

Submitted May 25, 2010**

Before: CANBY, THOMAS, and W. FLETCHER, Circuit Judges.

Michael F. Diessner appeals from the district court's judgment dismissing his action concerning foreclosure proceedings initiated by defendants. We have

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

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2). Accordingly, Diessner's request for oral argument is denied.

jurisdiction under 28 U.S.C. § 1291. We review de novo a dismissal under Federal Rule of Civil Procedure 12(b)(6), *Seinfeld v. Bartz*, 322 F.3d 693, 696 (9th Cir. 2003), and we review for an abuse of discretion a denial of a motion to alter or amend a judgment, *Sch. Dist. No. 1J, Multnomah County, Or. v. ACandS, Inc.*, 5 F.3d 1255, 1262 (9th Cir. 1993).

We affirm the dismissal for the reasons stated in the district court's order entered on May 18, 2009.

The district court did not abuse its discretion by denying Diessner's motion to alter or amend because Diessner failed to identify any basis to reconsider the judgment. *See Sch. Dist. No. 1J*, 5 F.3d at 1262-63 (setting forth requirements for reconsideration).

AFFIRMED.