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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JAMES AGGREY-KWEGGYIR
ARUNGA and DOREEN H. LEE,

Plaintiffs - Appellants,

v.

AMERICAN CIVIL LIBERTIES UNION
FOUNDATION; et al.,

Defendants - Appellees.

No. 09-35947

D.C. No. 6:09-cv-06175-AA

MEMORANDUM*

Appeal from the United States District Court
for the District of Oregon
Ann L. Aiken, Chief Judge, Presiding

Submitted June 15, 2011**

Before: CANBY, O'SCANNLAIN, and FISHER, Circuit Judges.

James Aggrey-Kweggyir Arunga and Doreen H. Lee appeal pro se the district court's judgment dismissing their action for lack of subject matter

* 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, Appellants' request for oral argument is denied.

jurisdiction. We have jurisdiction under 28 U.S.C. § 1291. We review de novo. *Love v. United States*, 915 F.2d 1242, 1245 (9th Cir. 1990). We affirm.

The district court properly dismissed the action for lack of subject matter jurisdiction, because plaintiffs have alleged neither a federal question, nor that there is complete diversity between the parties. *See* 28 U.S.C. §§ 1331 and 1332; *Rivet v. Regions Bank of La.*, 522 U.S. 470, 475 (1998) (to establish jurisdiction, a federal question must be “presented on the face of the plaintiff’s properly pleaded complaint”) (citation and internal quotation marks omitted); *Caterpillar Inc. v. Lewis*, 519 U.S. 61, 68 (1996) (§ 1332 applies only when “the citizenship of each plaintiff is diverse from the citizenship of each defendant”).

Appellants remaining contentions are unpersuasive.

All pending motions are denied.

AFFIRMED.