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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>FRANCISCO CAZARES,</p> <p>Plaintiff - Appellant,</p> <p>v.</p> <p>HOMEQ SERVICING; et al.,</p> <p>Defendants - Appellees.</p>
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No. 09-17539

D.C. No. 2:09-cv-01577-JAM-KJN

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
John A. Mendez, District Judge, Presiding

Submitted October 25, 2011**

Before: TROTT, GOULD, and RAWLINSON, Circuit Judges.

Francisco Cazares appeals from the district court’s order dismissing his action arising out of foreclosure proceedings. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion the district court’s decision to retain supplemental jurisdiction over state law claims, *Harrell v. 20th Century Ins.*

* 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).

Co., 934 F.2d 203, 205 (9th Cir. 1991), and to dismiss without leave to amend, *Lopez v. Smith*, 203 F.3d 1122, 1130 (9th Cir. 2000) (en banc). We affirm.

The district court did not abuse its discretion by retaining supplemental jurisdiction over Cazares's state law claims after they had been briefed by the parties and analyzed by the district court. *See Schneider v. TRW, Inc.*, 938 F.2d 986, 994-95 (9th Cir. 1991) (no abuse of discretion in retaining supplemental jurisdiction where sending the case to another court would cause a duplication of effort).

The district court did not abuse its discretion by dismissing without leave to amend where amendment would be futile. *See Gordon v. City of Oakland*, 627 F.3d 1092, 1094 (9th Cir. 2010).

Cazares's remaining contentions are unpersuasive.

AFFIRMED.