

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

DEC 19 2011

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

GERALYN PHILLIPS,

Plaintiff - Appellant,

v.

NATIONAL CITY BANK OF INDIANA
FIRST FRANKLIN DIVISION;
NATIONAL CITY HOME LOAN
SERVICES INCORPORATED; FIRST
FRANKLIN FINANCIAL
CORPORATION; MORTGAGE
ELECTRONIC REGISTRATION
SYSTEMS INCORPORATED; DOES 1-
1000,

Defendants - Appellees.

No. 10-17365

D.C. No. 2:09-cv-02478-ROS

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
Roslyn O. Silver, Chief District Judge, Presiding

Submitted November 30, 2011**
San Francisco, California

* 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).

Before: THOMAS and CLIFTON, Circuit Judges, and CARR, Senior District Judge.***

Geralyn Phillips appeals the district court's dismissal of her action against National City Bank, First Franklin Financial Corporation, Home Loan Services, and the Mortgage Electronic Registration Systems, Inc.. We affirm for the reasons stated by the district court.¹

AFFIRMED.

*** The Honorable James G. Carr, Senior District Judge for the U.S. District Court for the Northern District of Ohio, sitting by designation.

¹ Appellant's Motion for Judicial Notice, filed January 25, 2011, asking us to take notice of opinions cited in Appellant's Opening Brief, is denied as unnecessary. Judicial notice customarily entails matter of fact. Judicial notice is not required for the court to consider the cited opinions as matters of law and potentially persuasive precedents.