

JAN 25 2012

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>DOROTHY JAVIER,</p> <p>Plaintiff - Appellant,</p> <p>v.</p> <p>COUNTRYWIDE KB HOME LOANS; et al.,</p> <p>Defendants - Appellees.</p>
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No. 10-17398

D.C. No. 2:09-cv-00568-LDG-  
PAL

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Nevada  
Lloyd D. George, District Judge, Presiding

Submitted January 17, 2012\*\*

Before: LEAVY, TALLMAN, and CALLAHAN, Circuit Judges.

Dorothy Javier appeals pro se from the district court’s judgment in her  
action arising out of foreclosure proceedings. We have jurisdiction under 28

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\* 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).

U.S.C. § 1291. We review for an abuse of discretion the district court's order denying a motion to reconsider. *Sch. Dist. No. 1J, Multnomah Cnty., Or. v. ACandS, Inc.*, 5 F.3d 1255, 1262 (9th Cir. 1993). We affirm.

The district court did not abuse its discretion by denying Javier's motion to reconsider because Javier failed to demonstrate mistake, inadvertence, surprise, excusable neglect, newly discovered evidence, or any other basis for relief from judgment. *See* Fed. R. Civ. P. 60(b); *Sch. Dist. No. 1J, Multnomah Cnty., Or.*, 5 F.3d at 1263.

Contrary to Javier's contention, the district court had subject matter jurisdiction over her claims arising under federal statutes and thus removal was proper. *See* 28 U.S.C. § 1331 ("The district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.").

**AFFIRMED.**