

SEP 25 2012

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>WILLIAM EASON,</p> <p>Plaintiff - Appellant,</p> <p>v.</p> <p>INDYMAC FEDERAL BANK FSB; et al.,</p> <p>Defendants - Appellees.</p>
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No. 10-17710

D.C. No. 2:09-cv-01423-JAT

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Arizona  
James A. Teilborg, District Judge, Presiding

Submitted September 10, 2012\*\*

Before: WARDLAW, CLIFTON, and N.R. SMITH, Circuit Judges.

William Eason appeals pro se from the district court’s judgment dismissing his action arising from foreclosure proceedings. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion the denial of a default

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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).

judgment. *Eitel v. McCool*, 782 F.2d 1470, 1471 (9th Cir. 1986). We affirm.

The district court did not abuse its discretion by denying Eason's motion to enter default judgment against two defendants based on the *Eitel* factors. *See id.* at 1471-72 (setting forth factors that courts may consider in determining whether to enter default judgment and noting that "default judgments are ordinarily disfavored"); *Aldabe v. Aldabe*, 616 F.2d 1089, 1092-93 (9th Cir. 1980) (per curiam) (no abuse its discretion in denying motion for default judgment where substantive claims lacked merit).

**AFFIRMED.**