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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>DONESSA L. HORSEWOOD,</p> <p style="text-align: center;">Plaintiff - Appellant,</p> <p style="text-align: center;">v.</p> <p>LSI TITLE COMPANY OF OREGON, LLC; et al.,</p> <p style="text-align: center;">Defendants - Appellees.</p>
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No. 12-35094

D.C. No. 3:11-cv-00335-MO

MEMORANDUM*

Appeal from the United States District Court
for the District of Oregon
Michael W. Mosman, District Judge, Presiding

Submitted June 25, 2014**

Before: HAWKINS, TALLMAN, and NGUYEN, Circuit Judges.

Donessa L. Horsewood appeals pro se from the district court’s judgment dismissing her action arising out of foreclosure proceedings. We have jurisdiction under 28 U.S.C. § 1291. We review de novo. *Cervantes v. Countrywide Home Loans, Inc.*, 656 F.3d 1034, 1040 (9th Cir. 2011). We may affirm on any basis

* 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).

supported by the record, *Johnson v. Riverside Healthcare Sys., LP*, 534 F.3d 1116, 1121 (9th Cir. 2008), and we affirm.

Dismissal of Horsewood’s wrongful foreclosure claim was proper because Horsewood does not dispute that she received notice of the trustee’s sale and, therefore, her interest in the property was “foreclosed and terminated” by the trustee’s sale. Or. Rev. Stat. § 86.797(1) (formerly § 86.770(1)); *see also NW Property Wholesalers, LLC v. Spitz*, 287 P.3d 1106, 1109-10 (Or. Ct. App. 2012) (reviewing statutory framework and stating that a trust deed foreclosure sale terminates the interest of those who received proper notice).

Dismissal of Horsewood’s claim for violation of the Fair Debt Collection Practices Act was proper because Horsewood did not allege facts showing that defendants fell within the statutory definition of “debt collector.” 15 U.S.C. § 1692a(6) (defining “debt collector”); *Schlegel v. Wells Fargo Bank, NA*, 720 F.3d 1204, 1209 (9th Cir. 2013) (plaintiff failed to allege facts sufficient to show that mortgagee was a “debt collector” under 15 U.S.C. § 1692a(6)).

AFFIRMED.