

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

DEC 17 2015

FOR THE NINTH CIRCUIT

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

TRACY WEBB,

Plaintiff - Appellant,

v.

KAISER, (Fremont); et al.,

Defendants - Appellees.

No. 14-15882

D.C. No. 3:13-cv-04654-NC

MEMORANDUM*

Appeal from the United States District Court
for the Northern District of California
Nathanael M. Cousins, Magistrate Judge, Presiding**

Submitted December 9, 2015***

Before: WALLACE, RAWLINSON, and IKUTA, Circuit Judges.

Tracy Webb appeals pro se from the district court's judgment dismissing her action alleging, among other things, sex and racial discrimination. We review de novo. *Watison v. Carter*, 668 F.3d 1108, 1112 (9th Cir. 2012) (dismissal for

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** Webb consented to proceed before a magistrate judge. *See* 28 U.S.C. § 636(c).

*** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

failure to state a claim under 28 U.S.C. § 1915(e)(2)(B)(ii)); *Brady v. United States*, 211 F.3d 499, 502 (9th Cir. 2000) (dismissal for lack of subject matter jurisdiction). We affirm.

The district court properly dismissed Webb's action because Webb failed to allege facts establishing federal subject matter jurisdiction. *See* 28 U.S.C. §§ 1331, 1332 (requirements for federal subject matter jurisdiction); *see also Provincial Gov't of Marinduque v. Placer Dome, Inc.*, 582 F.3d 1083, 1086 (9th Cir. 2009) (discussing requirements for federal question jurisdiction under § 1331).

AFFIRMED.