

AUG 04 2016

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

LESLIE M. JAMES,

Plaintiff - Appellant,

v.

J.P. MORGAN CHASE BANK, N.A.; et
al.,

Defendants - Appellees.

No. 14-56285

D.C. No. 2:14-cv-00519-DSF-JEM

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Dale S. Fischer, District Judge, Presiding

Submitted July 26, 2016**

Before: SCHROEDER, CANBY, and CALLAHAN, Circuit Judges.

Leslie M. James appeals pro se from the district court's judgment dismissing his action alleging various claims arising from foreclosure proceedings. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion a

* 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).

district court's denial of a motion for reconsideration. *Sch. Dist. No. 1J, Multnomah Cty., Or. v. ACandS, Inc.*, 5 F.3d 1255, 1262 (9th Cir. 1993). We affirm.

We treat the district court's July 29, 2014 order as denying a second motion for reconsideration, and conclude that the district court did not abuse its discretion by denying the motion because James failed to establish grounds for such relief. *See id.* at 1263 (grounds for reconsideration); *see also Am. Ironworks & Erectors, Inc. v. N. Am. Constr. Corp.*, 248 F.3d 892, 899 (9th Cir. 2001) (holding that the district court did not abuse its discretion by denying a Fed. R. Civ. P. 60(b) motion where movants reiterated arguments raised previously and did not present any basis to vacate the challenged order).

We lack jurisdiction to consider James's contentions regarding the dismissal of his underlying claims or the denial of his first motion for reconsideration because the operative notice of appeal was only timely as to the denial of his second motion for reconsideration. *See Fed. R. App. P. 4(a)(1)(A)* (notice of appeal must be filed within 30 days after entry of judgment or order appealed from).

We do not consider arguments and allegations raised for the first time on appeal. *See Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009).

James's requests, set forth in his reply brief, are denied.

AFFIRMED.