

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAR 16 2017

FOR THE NINTH CIRCUIT

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

JANIS SAKAE OKAWAKI, DPA, MA,
MPA, JD, BA,

Plaintiff-Appellant,

v.

FIRST HAWAIIAN BANK, Mike Taylor,
Senior Vice President and General
Manager; et al.,

Defendants-Appellees.

No. 16-16011

D.C. No. 1:16-cv-00232-DKW-
KSC

MEMORANDUM*

Appeal from the United States District Court
for the District of Hawaii
Derrick Kahala Watson, District Judge, Presiding

Submitted March 8, 2017**

Before: LEAVY, W. FLETCHER, and OWENS, Circuit Judges.

Janis Sakae Okawaki appeals pro se from the district court's judgment dismissing sua sponte her action under the Racketeer Influenced and Corrupt Organizations Act ("RICO"). We have jurisdiction under 28 U.S.C. § 1291. We

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

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

review de novo a district court's dismissal for failure to state a claim. *Hebbe v. Pliler*, 627 F.3d 338, 341 (9th Cir. 2010). We affirm.

The district court properly dismissed Okawaki's action because Okawaki failed to allege facts sufficient to state a plausible RICO claim. *See id.* at 341-42 (though pro se pleadings are to be liberally construed, a plaintiff must still present factual allegations sufficient to state a plausible claim for relief); *Living Designs, Inc. v. E.I. Dupont de Nemours & Co.*, 431 F.3d 353, 361 (9th Cir. 2005) (elements of a civil RICO claim).

Okawaki's motion (Docket Entry No. 11) is denied.

AFFIRMED.