

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 15 2017

FOR THE NINTH CIRCUIT

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

PATRICK A. BOCKARI,

Plaintiff-Appellant,

v.

JPMORGAN CHASE & CO.,

Defendant-Appellee.

No. 17-15019

D.C. No. 2:13-cv-02603-JAM-EFB

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
John A. Mendez, District Judge, Presiding

Submitted August 9, 2017**

Before: SCHROEDER, TASHIMA, and M. SMITH, Circuit Judges.

Patrick A. Bockari appeals pro se from the district court's judgment dismissing his action alleging claims related to his bank account. We have jurisdiction under 28 U.S.C. § 1291. We review de novo a dismissal for lack of subject matter jurisdiction, *Crum v. Circus Circus Enters.*, 231 F.3d 1129, 1130

* 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).

(9th Cir. 2000), and we affirm.

The district court properly dismissed Bockari’s action for lack of subject matter jurisdiction because Bockari failed to allege facts sufficient to show any violation of federal law or diversity of citizenship. *See* 28 U.S.C. §§ 1331, 1332(a); *Kuntz v. Lamar Corp.*, 385 F.3d 1177, 1181-83 (9th Cir. 2004) (addressing diversity of citizenship under § 1332); *Yokeno v. Mafnas*, 973 F.2d 803, 807-08 (9th Cir. 1992) (analyzing whether plaintiff’s complaint presented a “substantial federal question”).

The district court did not abuse its discretion by dismissing without leave to amend Bockari’s second amended complaint after notifying Bockari of the deficiencies in his pleadings and affording him two opportunities to amend. *See Chodos v. West Publ’g Co.*, 292 F.3d 992, 1003 (9th Cir. 2002) (setting forth standard of review and stating “when a district court has already granted a plaintiff leave to amend, its discretion in deciding subsequent motions to amend is particularly broad” (citation and internal quotation marks omitted)).

AFFIRMED.