

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 17 2017

FOR THE NINTH CIRCUIT

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

ARTHUR LOPEZ,

Plaintiff-Appellant,

v.

MUFG UNION BANK, N.A.; et al.,

Defendants-Appellees.

No. 16-55491

D.C. No. 8:15-cv-01354-JLS-KES

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Josephine L. Staton, District Judge, Presiding

Submitted August 9, 2017**

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

Arthur Lopez appeals pro se from the district court's order dismissing his civil rights and antitrust action arising from a business loan transaction. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion a dismissal for failure to comply with the local rules. *Ghazali v. Moran*, 46 F.3d 52,

* 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).

53 (9th Cir. 1995). We affirm.

The district court did not abuse its discretion in dismissing Lopez’s action because Lopez failed to oppose defendants’ motion to dismiss. *See* C.D. Cal. R. 7-12 (“The failure to file any required document . . . may be deemed consent to the granting or denial of the motion”); *Ghazali* 46 F.3d at 53 (discussing factors to guide the court’s evaluation of dismissal for failure to comply with local rules).

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

AFFIRMED.