

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

NOV 30 2017

FOR THE NINTH CIRCUIT

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

In re: DOUGLAS GILLIES,

No. 16-56908

Debtor.

D.C. No. 2:16-cv-07590-FMO

DOUGLAS GILLIES,

MEMORANDUM*

Appellant,

v.

JPMORGAN CHASE BANK, N.A.,

Appellee.

Appeal from the United States District Court
for the Central District of California
Fernando M. Olguin, District Judge, Presiding

Submitted November 15, 2017**

Before: CANBY, TROTT, and GRABER, Circuit Judges.

Douglas Gillies appeals pro se from the district court's judgment dismissing his adversary proceeding alleging pre-foreclosure related claims. We have

* 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).

jurisdiction under 28 U.S.C. § 1291. We review de novo a dismissal on the basis of res judicata. *Stewart v. U.S. Bancorp*, 297 F.3d 953, 956 (9th Cir. 2002). We affirm.

The district court properly dismissed Gillies’s action as barred by the doctrine of res judicata because Gillies either raised, or could have raised, his claims in his prior California state and federal court actions, which involved the same primary rights, and the same parties, and resulted in final judgments on the merits. *See Gillies v. JPMorgan Chase Bank, N.A.*, 213 Cal. Rptr. 3d 210, 216 (2017) (explaining that “[r]es judicata precludes piecemeal litigation by splitting a single cause of action or relitigation of the same cause of action on a different legal theory or for different relief” (citation omitted)).

Gillies’s motion to take judicial notice (Docket Entry No. 20) is granted.

AFFIRMED.