

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAR 1 2018

FOR THE NINTH CIRCUIT

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

AMOR MEDINA DEL ROSARIO; ELVIE  
CANLAS DEL ROSARIO,

Plaintiffs-Appellants,

v.

WELLS FARGO BANK, N.A., as Trustee  
for the Merrill Lynch Mortgage Investors  
Trust, Series 2006-F1.; PNC MORTGAGE,  
INC., FKA National City Mortgage  
Company,

Defendants-Appellees.

No. 17-56466

D.C. No. 3:16-cv-00649-BEN-NLS

MEMORANDUM\*

Appeal from the United States District Court  
for the Southern District of California  
Roger T. Benitez, District Judge, Presiding

Submitted February 13, 2018\*\*

Before: LEAVY, FERNANDEZ, and MURGUIA, Circuit Judges.

Amor Medina Del Rosario and Elvie Canlas Del Rosario appeal pro se from the district court's order denying their motion to vacate its judgment dismissing

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\* 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).

their diversity action alleging claims related to their mortgage. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion. *Sch. Dist. No. 1J, Multnomah Cty., Or. v. ACandS, Inc.*, 5 F.3d 1255, 1262 (9th Cir. 1993). We affirm.

The district court did not abuse its discretion by denying appellants' motion to vacate because appellants failed to establish any basis for relief. *See id.* at 1263 (grounds for reconsideration under Federal Rule of Civil Procedure 60(b)).

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

**AFFIRMED.**