

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUN 21 2018

FOR THE NINTH CIRCUIT

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

CHRISTOPHER DAVID KROHE,

No. 17-17259

Plaintiff-Appellant,

D.C. Nos.

v.

1:17-cv-00878-DAD-MJS

ZANDRA STEINHARDT,

1:17-cv-00881-DAD-MJS

1:17-cv-00885-DAD-MJS

1:17-cv-00889-DAD-MJS

Defendant-Appellee.

MEMORANDUM*

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

Submitted June 12, 2018**

Before: RAWLINSON, CLIFTON, and NGUYEN, Circuit Judges.

Christopher David Krohe appeals pro se from the district court's judgment dismissing for lack of subject matter jurisdiction his action arising from a contract dispute. We have jurisdiction under 28 U.S.C. § 1291. We review de novo. *Rundgren v. Wash. Mut. Bank, FA*, 760 F.3d 1056, 1060 (9th Cir. 2014). 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).

affirm.

The district court properly dismissed Krohe's action for lack of subject matter jurisdiction because Krohe failed to allege a federal question or jurisdiction based on diversity of citizenship. *See* 28 U.S.C. § 1331 (conferring jurisdiction on district courts in "civil actions arising under the Constitution, laws, or treaties of the United States"); 28 U.S.C. § 1332(a)(1) (conferring jurisdiction on district courts where the plaintiff alleges that the parties are completely diverse and the amount in controversy exceeds \$75,000); Fed. R. Civ. P. 8(a) (complaint must contain a "short and plain statement" of the grounds for the court's jurisdiction).

We do not consider 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.