

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 26 2021

FOR THE NINTH CIRCUIT

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

JIHSHYR YIH,

No. 20-17237

Plaintiff-Appellant,

D.C. No. 5:20-cv-04184-EJD

v.

MEMORANDUM*

TAIWAN SEMICONDUCTOR
MANUFACTURING COMPANY, LTD,

Defendant-Appellee.

Appeal from the United States District Court
for the Northern District of California
Edward J. Davila, District Judge, Presiding

Submitted August 17, 2021**

Before: SILVERMAN, CHRISTEN, and LEE, Circuit Judges.

JihShyr Yih appeals pro se from the district court's judgment dismissing for lack of personal jurisdiction his action alleging federal and state law employment claims against Taiwan Semiconductor Manufacturing Company, Ltd. ("TSMC"). We have jurisdiction under 28 U.S.C. § 1291. We review de novo a dismissal

* 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).

under Federal Rule of Civil Procedure 12(b)(2) for lack of personal jurisdiction.

Axiom Foods, Inc. v. Acerchem Int'l, Inc., 874 F.3d 1064, 1067 (9th Cir. 2017).

We affirm.

The district court properly dismissed Yih's action for lack of personal jurisdiction because Yih failed to allege facts sufficient to establish that TSMC had such continuous and systematic contacts with California to establish general personal jurisdiction, or sufficient claim-related contacts with California to provide the court with specific personal jurisdiction over TSMC. *See Williams v. Yamaha Motor Co.*, 851 F.3d 1015, 1020-25 (9th Cir. 2017) (discussing requirements for general and specific personal jurisdiction).

We do not consider 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).

Yih's request that this court sanction TSMC and two of its employees, set forth in the opening brief, is denied.

AFFIRMED.