

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

NOV 12 2021

FOR THE NINTH CIRCUIT

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

TERRY STEINER, a single woman and
personal representative estate of David L
Steiner,

Plaintiff-Appellant,

v.

ASSET ACCEPTANCE, LLC, a Delaware
limited liability company,

Defendant-Appellee.

No. 19-35953

D.C. No. 2:19-cv-00271-RSM

MEMORANDUM*

Appeal from the United States District Court
for the Western District of Washington
Ricardo S. Martinez, District Judge, Presiding

Submitted November 8, 2021**

Before: CANBY, TASHIMA, and MILLER, Circuit Judges.

Terry Steiner appeals from the district court's order denying her second post-judgment motion in her action alleging claims under the Fair Debt Collection Practices Act and the Washington Consumer Protection Act. We have jurisdiction

* 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 28 U.S.C. § 1291. We review for an abuse of discretion a denial of a motion under Federal Rule of Civil Procedure Rule 60(b). *Sch. Dist. No. 1J, Multnomah County, Or. v. ACandS, Inc.*, 5 F.3d 1255, 1262 (9th Cir. 1993). We affirm.

The district court did not abuse its discretion by denying Steiner's second post-judgment motion for reconsideration and denying leave to amend because Steiner failed to demonstrate any basis for such relief. *See Sch. Dist. No. 1J*, 5 F.3d at 1263 (setting forth grounds for relief under Rule 60(b)); *see also Lindauer v. Rogers*, 91 F.3d 1355, 1357 (9th Cir. 1996) (“[O]nce judgment has been entered in a case, a motion to amend the complaint can only be entertained if the judgment is first reopened under a motion brought under Rule 59 or 60.”).

AFFIRMED.