

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

FEB 24 2022

FOR THE NINTH CIRCUIT

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

NEELU PAL, MD,

No. 20-17496

Plaintiff-Appellant,

D.C. No. 2:20-cv-01257-JAD-DJA

v.

MEMORANDUM*

JACLYN HAFTER, in her individual capacity and as Trustee of Estate of Jacob Hafter, Hafter Family Trust, Jacob Hafter Trust, and Hafter Childrens Trust; BRANDON PHILLIPS, in his individual and as Trustee of Estate of Estate of Jacob Hafter, Hafter Family Trust, Jacob Hafter Trust; ESTATE OF JACOB HAFTER; HAFTER FAMILY TRUST; JACOB HAFTER TRUST; HAFTER CHILDREN'S TRUST; ALEXANDER G. LEVEQUE, Esq.; JOSHUA M. HOOD, Esq.; LAW FIRM OF SOLOMON DWIGGINS AND FREER LTD.,

Defendants-Appellees.

Appeal from the United States District Court
for the District of Nevada
Jennifer A. Dorsey, District Judge, Presiding

Submitted February 15, 2022**

* 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

Before: FERNANDEZ, TASHIMA, and FRIEDLAND, Circuit Judges.

Neelu Pal, MD, appeals pro se from the district court's order staying her diversity action under *Colorado River Water Conservation District v. United States*, 424 U.S. 800 (1976). We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion a district court's decision to stay under *Colorado River*, and we review de novo whether the facts of a particular case conform to the requirements for a *Colorado River* stay. *R.R. St. & Co. Inc. v. Transport Ins. Co.*, 656 F.3d 966, 973 (9th Cir. 2011). We affirm.

The district court properly stayed Pal's action under the *Colorado River* doctrine in light of Pal's parallel state court litigation because, on balance, the factors weighed in favor of abstention. *See Seneca Ins. Co., Inc. v. Strange Land, Inc.*, 862 F.3d 835, 842 (9th Cir. 2017) (explaining the *Colorado River* factors).

Appellees' motion for judicial notice (Docket Entry No. 14) is denied as unnecessary.

AFFIRMED.

without oral argument. *See* Fed. R. App. P. 34(a)(2).