

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUL 21 2022

FOR THE NINTH CIRCUIT

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

HAMID MICHAEL HEJAZI,

No. 21-35711

Plaintiff-Appellant,

D.C. No. 6:19-cv-00149-MK

v.

MEMORANDUM*

MARK T. ESPER, Secretary, Department of
the Army; UNITED STATES
DEPARTMENT OF THE ARMY; U.S.
EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Defendants-Appellees.

Appeal from the United States District Court
for the District of Oregon
Michael J. McShane, District Judge, Presiding

Submitted July 12, 2022**

Before: SCHROEDER, R. NELSON, and VANDYKE, Circuit Judges.

Hamid Michael Hejazi appeals pro se from the district court's judgment
dismissing his employment action alleging discrimination. 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 dismissal for failure to serve the summons and complaint under Federal Rule of Civil Procedure 4(m). *Oyama v. Sheehan (In re Sheehan)*, 253 F.3d 507, 511 (9th Cir. 2001). We affirm.

The district court did not abuse its discretion by dismissing Hejazi's action because Hejazi failed to effect proper service of the summons and complaint after being given notice and opportunities and directives to do so and failed to show good cause for his failure to serve. *See* Fed. R. Civ. P. 4(m) (outlining the requirements for proper service and explaining that a district court may dismiss for failure to serve after providing notice and absent a showing of good cause for failure to serve); *In re Sheehan*, 253 F.3d at 512-13 (discussing good cause and the district court's broad discretion to dismiss an action).

AFFIRMED.