

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 18 2023

FOR THE NINTH CIRCUIT

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

VIEN-PHUONG THI HO,

No. 21-55671

Plaintiff-Appellant,

D.C. No. 2:19-cv-10532-ODW-JPR

v.

MEMORANDUM*

NATIONSTAR MORTGAGE, LLC, DBA
Mr. Cooper; et al.,

Defendants-Appellees.

Appeal from the United States District Court
for the Central District of California
Otis D. Wright II, District Judge, Presiding

Submitted August 15, 2023**

Before: TASHIMA, S.R. THOMAS, and FORREST, Circuit Judges.

Vien-Phuong Thi Ho appeals pro se from the district court's judgment dismissing her action alleging federal and state law claims related to debt collection. We have jurisdiction under 28 U.S.C. § 1291. We review de novo a dismissal for failure to comply with Federal Rule of Civil Procedure 8. *Pickern v.*

* 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).

Pier 1 Imports (U.S.), Inc., 457 F.3d 963, 968 (9th Cir. 2006). We affirm.

The district court properly dismissed Ho’s action because Ho failed to allege facts sufficient to state a plausible claim and failed to comply with the requirements of Rule 8. *See* Fed. R. Civ. P. 8(a)(2) (a pleading must contain “a short and plain statement of the claim showing that a pleader is entitled to relief”); *Nevijel v. N. Coast Life Ins. Co.*, 651 F.2d 671, 674 (9th Cir. 1981) (a complaint that is “verbose, confusing and conclusory” violates Rule 8); *see also Ashcroft v. Iqbal*, 556 U.S. 662, 678-79 (2009) (complaint must contain more than bare assertions or a formulaic recitation of the elements of a claim; it must contain sufficient factual matter to state a claim to relief that is plausible on its face).

The district court did not abuse its discretion in denying Ho’s motion for relief from judgment because Ho failed to demonstrate any grounds for relief. *See Sch. Dist. No. 1J, Multnomah County, Or. v. ACandS, Inc.*, 5 F.3d 1255, 1262-63 (9th Cir. 1993) (setting forth standard of review and grounds for relief under Fed. R. Civ. P. 60(b)).

Ho’s request to strike the answering brief, set forth in her reply brief, is denied.

AFFIRMED.