

FILED

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

TANISHIA HUBBARD,

Plaintiff-Appellant,

v.

SERVICE EMPLOYEES
INTERNATIONAL UNION LOCAL
2015; et al.,

Defendants-Appellees.

No. 21-16408

D.C. No.
2:20-cv-00670-KJM-JDP

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Kimberly J. Mueller, Chief District Judge, Presiding

Submitted October 19, 2023**
San Francisco, California

Before: W. FLETCHER, NGUYEN, and R. NELSON, Circuit Judges.

Appellant Tanishia Hubbard is an in-home supportive services provider in California. Until late 2019, she paid union dues to Appellee SEIU Local 2015.

* 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).

Hubbard brings several federal claims under 42 U.S.C. § 1983 against SEIU Local 2015 and two California state officials, as well as six state-law claims against SEIU Local 2015. The district court granted Appellees’ motions to dismiss Hubbard’s federal claims and declined to exercise supplemental jurisdiction over her state law claims. We have jurisdiction under 28 U.S.C. § 1291 and we affirm.

1. The § 1983 claims against SEIU Local 2015 fail for lack of state action. *See Belgau v. Inslee*, 975 F.3d 940, 946–49 (9th Cir. 2020); *Wright v. Serv. Emps. Int’l Union Loc. 503*, 48 F.4th 1112, 1121–25 (9th Cir. 2022).

2. Hubbard lacks standing to seek prospective relief against the California officials. Her dues deductions stopped before she filed suit, and the district court did not err in finding that Hubbard has not shown that future injury is sufficiently likely to warrant prospective relief.

AFFIRMED.