

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUN 26 2025

FOR THE NINTH CIRCUIT

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

WILLIAM J. WHITSITT,

Plaintiff - Appellant,

v.

SAN JOAQUIN COUNTY MENTAL
HEALTH; B. RASMUSSEN, San Joaquin
County Superior Court Commissioner,

Defendants - Appellees.

No. 23-2264

D.C. No. 2:22-cv-00356-WBS-CKD

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
William B. Shubb, District Judge, Presiding

Submitted June 18, 2025**

Before: CANBY, S.R. THOMAS, and SUNG, Circuit Judges.

William J. Whitsitt appeals pro se from the district court's judgment dismissing his action under 42 U.S.C. §§ 1983 and 1985 alleging constitutional claims. We have jurisdiction under 28 U.S.C. § 1291. We review de novo a

* 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).

dismissal under 28 U.S.C. § 1915A. *Wilhelm v. Rotman*, 680 F.3d 1113, 1118 (9th Cir. 2012). We affirm.

The district court properly dismissed Whitsitt's action because Whitsitt failed to allege facts sufficient to state any plausible claim. *See Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (explaining that, to avoid dismissal, "a complaint must contain sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face" (citation and internal quotation marks omitted)).

The district court did not err by failing to address Whitsitt's Racketeering Influenced and Corrupt Organizations Act ("RICO") claims because Whitsitt did not allege any RICO claims in the operative complaint. *See Lacey v. Maricopa County*, 693 F.3d 896, 927 (9th Cir. 2012) (en banc) ("[T]he general rule is that an amended complaint super[s]cedes the original complaint and renders it without legal effect[.]").

We reject as unsupported by the record Whitsitt's contentions that the district court's judgment was the result of corruption or obstruction of justice.

All pending motions are denied.

AFFIRMED.