NOT FOR PUBLICATION

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U.S. COURT OF APPEALS

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

In re: Ivan Rene Moore, Debtor. _____ IVAN RENE MOORE, Appellant, v. JERREL JONES; COURIER COMMUNICATIONS CORPORATION, for itself, doing business as WNOV Radio Station; MILWAUKEE COURIER, INC.; ERNESTINE JONES; SANDRA ROBINSON-JONES; HOMER BLOW; SHERWIN HUGHES; NEW PITTS MORTUARY, LLC; MICHELLE LUCKETT PITTS; and URBAN MARKETING GROUP, LLC, Appellees.	No. 24-6535 D.C. No. 2:20-cv-10981-JWH MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
John W. Holcomb, District Judge, Presiding

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

Submitted September 17, 2025[**]

Before: SILVERMAN, OWENS, and BRESS, Circuit Judges.

Chapter 7 debtor Ivan Rene Moore appeals pro se from the district court's order affirming the bankruptcy court's order dismissing Moore's adversary proceeding. We have jurisdiction under 28 U.S.C. § 158(d). We review de novo the district court's decision on appeal from the bankruptcy court and apply the same standards of review applied by the district court. *Motor Vehicle Cas. Co. v. Thorpe Insulation Co. (In re Thorpe Insulation Co.)*, 677 F.3d 869, 879 (9th Cir. 2012). We affirm.

The bankruptcy court properly dismissed with prejudice on the basis of claim preclusion Moore's claims in his initial complaint against all but three defendants because those claims arose out of the same nucleus of operative facts as Moore's third-party complaint in a separate action against the same parties or their privies that resulted in a final judgment on the merits. *See Teske v. Wilson Mut. Ins. Co.*, 928 N.W.2d 555, 561-62 (Wis. 2019) (setting forth the elements of claim preclusion under Wisconsin law and explaining the transactional test for determining whether two suits share a common nucleus of operative facts); *see also Semtek Int'l Inc. v. Lockheed Martin Corp.,* 531 U.S. 497, 508 (2001)

[**] The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

(holding that the preclusive effect of a judgment by a federal diversity court is determined using the "law that would be applied by state courts in the State in which the federal diversity court sits").

The bankruptcy court properly dismissed Moore's claims against the remaining three defendants because Moore failed to comply with the court's orders to pay sanctions and to file the amended complaint in a timely manner. *See* Fed. R. Bankr. P. 7041 ("Fed. R. Civ. P. 41 applies in an adversary proceeding."); Fed. R. Civ. P. 41(b) (permitting dismissal of an action "[i]f the plaintiff fails to prosecute or to comply with these rules or a court order"); *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260-61 (9th Cir. 1992) (setting forth factors for determining whether an action should be dismissed for failure to comply with a court order).

Contrary to Moore's contentions, the bankruptcy court properly exercised jurisdiction over Moore's adversary proceeding, and the district court applied the correct standard of review. *See Wellness Int'l Network, Ltd. v. Sharif*, 575 U.S. 665, 683-85 (2015) (explaining the consent requirement for bankruptcy courts to adjudicate non-core claims); *Motor Vehicle Cas. Co.*, 677 F.3d at 879 (setting forth the standard of review for bankruptcy court decisions).

We reject as unsupported by the record Moore's contentions that the bankruptcy judge was biased against Moore and denied him due process.

We do not consider arguments and allegations raised for the first time on

appeal. *See Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009).

AFFIRMED.