

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

FEB 20 2026

FOR THE NINTH CIRCUIT

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

ARMIN VAN DAMME,

Plaintiff - Appellant,

v.

U.S. BANK NATIONAL ASSOCIATION,
as Trustee,

Defendant - Appellee.

No. 24-7767

D.C. No. 2:24-cv-01287-JAD-BNW

MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
Jennifer A. Dorsey, District Judge, Presiding

Submitted February 18, 2026**

Before: CALLAHAN, FRIEDLAND, and BRESS, Circuit Judges.

Armin Van Damme appeals pro se from the district court's judgment dismissing his diversity action alleging various claims in connection with real property. 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 Federal Rule of Civil Procedure 12(b)(6) on the basis of claim preclusion. *Stewart v. U.S. Bancorp*, 297 F.3d 953, 956 (9th Cir. 2002). We affirm.

The district court properly dismissed Van Damme’s quiet title claims because Van Damme raised, or could have raised, his claims in a prior federal action, which involved the same party and resulted in a final judgment on the merits. *See Daewoo Elecs. Am. Inc. v. Opta Corp.*, 875 F.3d 1241, 1244 (9th Cir. 2017) (explaining that when a federal court with diversity jurisdiction assesses the preclusive effect of a prior federal court sitting in diversity, “the second court must apply preclusion principles according to the law of the initial court’s state”); *Five Star Cap. Corp. v. Ruby*, 194 P.3d 709, 713 (Nev. 2008) (setting forth the elements of claim preclusion under Nevada law).

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).

All pending motions and requests are denied.

AFFIRMED.