

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 26 2026

FOR THE NINTH CIRCUIT

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

DOROTHY ELIZABETH LEWIS,

No. 23-35223

Plaintiff-Appellant,

D.C. No. 3:22-cv-01540-IM

v.

District of Oregon,
Portland

WELLS FARGO BANK, N.A., as Trustee
for the Registered Holders of Structured
Asset Securities Corporation Mortgage Pass-
Through Certificate, Series 2007-OSI ("the
Trust"); PHH MORTGAGE
CORPORATION, successor by merger to
Ocwen Loan Servicing, LLC,

MEMORANDUM*

Defendants-Appellees.

Appeal from the United States District Court
for the District of Oregon
Karin J. Immergut, District Judge

Submitted August 26, 2026**

Before: O'SCANNLAIN, SILVERMAN, and RAWLINSON, Circuit Judges.

Dorothy Lewis appeals pro se from the district court's dismissal of her

* 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).

complaint against Wells Fargo Bank N.A. and PHH Mortgage Corp. alleging violations of her First, Fifth, and Fourteenth Amendment rights during a 2013 foreclosure action in which Wells Fargo obtained a judgment against her. We have jurisdiction pursuant to 28 U.S.C. § 1291. We review dismissal of a complaint for lack of subject matter jurisdiction under the *Rooker-Feldman*¹ doctrine de novo and dismissal without leave to amend for an abuse of discretion. *Benavidez v. Cnty. of San Diego*, 993 F.3d 1134, 1141-42 (9th Cir. 2021). We affirm.

The district court properly dismissed the complaint for lack of subject matter jurisdiction because Lewis sought to overturn a state court foreclosure judgment. *See Reusser v. Wachovia Bank, N.A.*, 525 F.3d 855, 859 (9th Cir. 2008) (explaining that federal district courts lack appellate jurisdiction over state court judgments). The exception for extrinsic fraud does not apply because Lewis’s fraud allegations were presented to and rejected by the Oregon state court. *Id.* at 860.

The district court acted within its discretion when it dismissed the complaint without allowing leave to amend. Amendment would be futile. *See Cervantes v. Countrywide Home Loans, Inc.*, 656 F.3d 1034, 1041 (9th Cir. 2011) (explaining that “a district court may dismiss without leave where a plaintiff’s proposed amendments would fail to cure the pleading deficiencies and amendment would be

¹ *Rooker v. Fidelity Trust Co.*, 263 U.S. 413 (1923); *D.C. Ct. of Appeals v. Feldman*, 460 U.S. 462 (1983).

futile”).

AFFIRMED.