

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 31 2026

FOR THE NINTH CIRCUIT

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

LYLE ROGER HARRISON,

Plaintiff - Appellant,

v.

FLOYD M. WILLOUGHBY; U.S.
BANCORP; JEREMY J. RICHEY; JOHN
OR JANE DOES, 1-9,

Defendants - Appellees.

No. 25-3470

D.C. No. 3:24-cv-02369-BEN-KSC

MEMORANDUM*

Appeal from the United States District Court
for the Southern District of California
Roger T. Benitez, District Judge, Presiding

Submitted August 25, 2026**

Before: SILVERMAN, N.R. SMITH, and DE ALBA, Circuit Judges.

Lyle Roger Harrison appeals pro se from the district court's judgment dismissing as frivolous his action alleging civil rights claims arising from an estate dispute and criminal prosecution in Illinois. We have jurisdiction under 28 U.S.C.

* 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).

§ 1291. We review for an abuse of discretion a dismissal under 28 U.S.C.

§ 1915(e)(2)(B)(i). *Denton v. Hernandez*, 504 U.S. 25, 33 (1992). We affirm.

The district court did not abuse its discretion in dismissing as frivolous Harrison’s action because the complaint lacked any arguable basis in law or fact. *See* 28 U.S.C. § 1915(e)(2)(B)(i) (requiring dismissal of a frivolous complaint filed in forma pauperis); *Neitzke v. Williams*, 490 U.S. 319, 325 (1989) (explaining that a complaint “is frivolous where it lacks an arguable basis either in law or in fact”).

The district court did not abuse its discretion by dismissing Harrison’s complaint without leave to amend because amendment would have been futile. *See Cervantes v. Countrywide Home Loans, Inc.*, 656 F.3d 1034, 1041 (9th Cir. 2011) (setting forth standard of review and explaining that dismissal without leave to amend is proper when amendment would be futile).

AFFIRMED.