

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

SEP 1 2026

FOR THE NINTH CIRCUIT

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

APRIL GRIEGO,

Plaintiff - Appellant,

v.

REBECCA MOMODU; ALLYSA ANTOS;
CHAPS HOUSING ASSISTANCE
PROGRAM,

Defendants - Appellees.

No. 25-3795

D.C. No. 2:24-cv-00653-ART-NJK

MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
Anne R. Traum, District Judge, Presiding

Submitted August 25, 2026**

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

April Griego appeals pro se from the district court's judgment dismissing for lack of subject matter jurisdiction her civil rights action. We have jurisdiction under 28 U.S.C. § 1291. We review de novo. *Lake v. Ohana Mil. Cmty., LLC*, 14

* 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).

F.4th 993, 1000 (9th Cir. 2021) (dismissal for lack of subject matter jurisdiction); *Watison v. Carter*, 668 F.3d 1108, 1112 (9th Cir. 2012) (dismissal under 28 U.S.C. § 1915(e)(2)(B)). We affirm.

The district court properly dismissed Griego’s action because Griego failed to allege a federal question or establish the requirements for diversity jurisdiction. *See* 28 U.S.C. § 1331 (setting forth requirements for federal question jurisdiction); 28 U.S.C. § 1332 (setting forth requirements for diversity jurisdiction); *Bishop Paiute Tribe v. Inyo County*, 863 F.3d 1144, 1151 (9th Cir. 2017) (“The party asserting jurisdiction bears the burden of establishing subject matter jurisdiction.” (citation omitted)).

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).

To the extent that Griego is requesting to proceed in forma pauperis, it is denied as unnecessary because Griego’s in forma pauperis status from the district court carries over to this appeal. The motion for appointment of pro bono counsel (Docket Entry No. 9) is denied.

AFFIRMED.