

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

FILED

DEC 3 2018

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

ARTHUR LOPEZ,

No. 18-55920

Plaintiff-Appellant,

D.C. No. 8:18-cv-00093-AG-DFM  
Central District of California,  
Santa Ana

v.

THE IRVINE COMPANY APARTMENT  
COMMUNITIES, INC.; et al.,

ORDER

Defendants-Appellees.

Before: CANBY, TASHIMA, and FRIEDLAND, Circuit Judges.

The district court certified that this appeal is not taken in good faith and revoked appellant's in forma pauperis status. *See* 28 U.S.C. § 1915(a). On July 20, 2018, the court ordered appellant to explain in writing why this appeal should not be dismissed as frivolous. *See* 28 U.S.C. § 1915(e)(2) (court shall dismiss case at any time, if court determines it is frivolous or malicious).

Upon a review of the record and response to the court's July 20, 2018 order, we conclude this appeal is frivolous. We therefore deny appellant's motion to proceed in forma pauperis (Docket Entry No. 5) and dismiss this appeal as frivolous, pursuant to 28 U.S.C. § 1915(e)(2).

**DISMISSED.**

Appendix A

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. SACV 18-00093 AG (DFMx) Date June 20, 2018  
Title ARTHUR LOPEZ v. IRVINE COMPANY LLC ET AL.

Present: The Honorable ANDREW J. GUILFORD

Lisa Bredahl

Not Present

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Proceedings: [IN CHAMBERS] ORDER DISMISSING FOR LACK OF  
SUBJECT MATTER JURISDICTION

*3<sup>rd</sup> cause of action*

Plaintiff Arthur Lopez, representing himself, filed this lawsuit against Defendants Irvine Company LLC; The Irvine Company Apartment Communities, Inc.; Newport Bluffs LLC; and The Newport Bordeaux Apartments LLC. In his handwritten complaint, Lopez purported to assert claims for (1) violations of the Fair Housing Act, (2) violations of his rights under 42 U.S.C. § 1983, and (3) unfair business practices.

*Previous 2 cause of action Dismissed June 4<sup>th</sup>, 2018*

The Court previously dismissed Plaintiff's federal claims without leave to amend, leaving only his state law unfair business practices claim. (Dkt. No. 25.). In this situation, a district court "may decline to exercise supplemental jurisdiction" over state law claims if the "court has dismissed all claims over which it has original jurisdiction." 28 U.S.C. § 1337(c)(3); *see also Herman Family Revocable Tr. v. Teddy Bear*, 254 F.3d 802, 806 (9th Cir. 2001) (explaining that district court dismissing all federal claims "may then decline to exercise supplemental jurisdiction over the remaining state claims"). Here, in this case filed fairly recently, the Court declines to exercise supplemental jurisdiction over a California Plaintiff's claims against California Defendants involving application of only California law.

The Court therefore DISMISSES Plaintiff's remaining claims without prejudice.

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

Case No. SACV 18-00093 AG (DFMx) Date June 20, 2018  
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Initials of  
Preparer

lmb

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CIVIL MINUTES - GENERAL  
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Appendix C

**Additional material  
from this filing is  
available in the  
Clerk's Office.**