

JAN 10 2008

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ELEANOR LINDQUIST,

Plaintiff - Appellant,

v.

ANN CHAPMAN; et al.,

Defendants - Appellees.

No. 07-15943

D.C. No. CV-06-06822-WHA

MEMORANDUM*

Appeal from the United States District Court
for the Northern District of California
William H. Alsup, District Judge, Presiding

Submitted January 7, 2008 **

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

Appellant's second request for an extension of time to file the response to the court's August 23, 2007 order to show cause is granted. The Clerk shall file appellant's response to the order to show cause received October 15, 2007.

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

07-15943

A review of appellant's response to the court's order to show cause indicates that the questions raised in this appeal are so insubstantial as not to require further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard). The district court correctly dismissed appellant's action for lack of subject-matter jurisdiction because appellant's only federal claim failed to state a claim pursuant to 18 U.S.C. § 1962(a).

Accordingly, we summarily affirm the district court's judgment.

All pending motions are denied as moot.

AFFIRMED.