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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JUAN BENITO CASTRO,  
  
Plaintiff - Appellant,  
  
v.  
  
DRUG ENFORCEMENT  
ADMINISTRATION; et al.,  
  
Defendants - Appellees.

No. 07-56556

D.C. No. CV-06-06612-FMC

MEMORANDUM \*

Appeal from the United States District Court  
for the Central District of California  
Florence Marie Cooper, District Judge, Presiding

Submitted March 10, 2008 \*\*

Before: T.G. NELSON, TASHIMA and BYBEE, Circuit Judges.

Appellant Juan Benito Castro appeals the district court's order dismissing his case for failure to state a claim and file a new complaint. This court reviews

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\* 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).

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the district court's order de novo, and we affirm. *See Bagdadi v. Nazar*, 84 F.3d 1194, 1997 (9th Cir. 1996); *Gibson v. United States*, 781 F.2d 1334, 1337 (9th Cir. 1986).

Our review of the record and appellant's response to this 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. Hooten*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard).

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

**AFFIRMED.**