

149 Fed.Appx. 696

This case was not selected for publication in the Federal Reporter.

Not for Publication in West's Federal Reporter See Fed. Rule of Appellate Procedure 32.1 generally governing citation of judicial decisions issued on or after Jan. 1, 2007. See also Ninth Circuit Rule 36-3. (Find CTA9 Rule 36-3) United States Court of Appeals, Ninth Circuit.

UNITED STATES of America; et al., Plaintiffs, and Miro J. Satalich, ex rel., Plaintiff-Appellant, v. CITY OF LOS ANGELES, Defendant-Appellee.

No. 05-55483. | Submitted Sept. 12, 2005.\*

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

| Decided Sept. 23, 2005.

**Attorneys and Law Firms**

Miro J. Satalich, Phoenix, AZ, for Plaintiff-Appellant.

Robert Cramer, Esq., Office of the City Attorney, Los Angeles, CA, for Defendant-Appellee.

Appeal from the United States District Court for the Central District of California, Gary A. Feess, District Judge, Presiding. D.C. No. CV-04-09193-GAF.

Before: REINHARDT, RYMER, and HAWKINS, Circuit Judges.

**Opinion**

**MEMORANDUM\*\***

\*\* This disposition is not appropriate for publication and

may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

Miro J. Satalich appeals pro se the district court's dismissal of his action under the False Claims Act, in which he sought a default judgment against the City of Los Angeles ("the City"). We have jurisdiction under 28 U.S.C. § 1291. We review de novo, and we may affirm on any ground \*697 supported by the record. *Vestar Dev. II, LLC v. Gen. Dynamics Corp.*, 249 F.3d 958, 960 (9th Cir.2001).

Satalich's action is premised on his claim that he was entitled in 1999 to intervene in *United States of America v. City of Los Angeles*, USDC No. 77-3047-HP (C.D.Cal.), an action the United States filed in 1977 against the City regarding its discharge of wastewater into Santa Monica Bay. That action resulted in an amended consent decree in 1987, and was closed in 2000, without a ruling on Satalich's motion to intervene. Nothing in the record before us indicates that Satalich ever asserted, let alone established, the basis for his right to intervene in the underlying litigation. See *United States v. Alisal Water Corp.*, 370 F.3d 915, 919 (9th Cir.2004) (discussing requirements for intervention as of right); *Hook v. State of Ariz., Dep't. of Corr.*, 972 F.2d 1012, 1014-15 (9th Cir.1992) (discussing requirements for standing to enforce a consent decree). For this reason, and those set forth in the district court's February 7, 2005 order, we conclude the court properly dismissed the action with prejudice.

Satalich's remaining contentions also lack merit.

AFFIRMED.

**Parallel Citations**

2005 WL 2330414 (C.A.9 (Cal.))