15-1433
Mir v. Bogan

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

SUMMARY ORDER

RULINGS BY SUMMARY ORDER DO NOT HAVE PRECEDENTIAL EFFECT. CITATION TO A SUMMARY ORDER FILED ON OR AFTER JANUARY 1, 2007, IS PERMITTED AND IS GOVERNED BY FEDERAL RULE OF APPELLATE PROCEDURE 32.1 AND THIS COURT'S LOCAL RULE 32.1.1. WHEN CITING A SUMMARY ORDER IN A DOCUMENT FILED WITH THIS COURT, A PARTY MUST CITE EITHER THE FEDERAL APPENDIX OR AN ELECTRONIC DATABASE (WITH THE NOTATION "SUMMARY ORDER"). A PARTY CITING TO A SUMMARY ORDER MUST SERVE A COPY OF IT ON ANY PARTY NOT REPRESENTED BY COUNSEL.

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 24th day of August, two thousand sixteen.

PRESENT:

ROSEMARY S. POOLER,
GERARD E. LYNCH,
SUSAN L. CARNEY,
Circuit Judges.

Jehan Zeb Mir,

Plaintiff-Appellant,

v. **15-1433**

Robert Bogan, an individual, et al.,

Defendants-Appellees.

FOR PLAINTIFF-APPELLANT: Jehan Zeb Mir, pro se, Redondo Beach, CA.

FOR DEFENDANTS-APPELLEES: Karen W. Lin (Barbara D. Underwood & Anisha S. Dasgupta, *on the brief*) *for* Eric T. Schneiderman, Attorney General of the State of New York , New York, NY, *for* Robert Bogan, Peter D. Van Buren, Kendrick A. Sears, Claudia Hutton, Nirav R. Shah, Lyon Greenberg, Ralph Liebling, Deborah Whitfield, Linda Skidmore.

David F. Taglienti (Richard F. Wolfe & Kristin G. Hogue, *on the brief*) *for* Kamala D. Harris, Attorney

General of California, San Diego, CA, for Kimberly Kirchmeyer, Sharon Levine, and Linda Whitney.

Theodore S. Drcar (Christine Mersten, *on the brief*), *for* Kamala D. Harris, Attorney General of California, San Diego, CA, *for* Mary Agnes Matyszewski.

Appeal from a judgment of the United States District Court for the Southern District of New York (Gardephe, *J.*).

UPON DUE CONSIDERATION, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the judgment of the district court is **AFFIRMED**.

Appellant Jehan Zeb Mir, proceeding pro se, appeals from the district court's judgment dismissing his complaint against state officials involved in the revocation of his medical license as barred, in part, by absolute immunity and, in part, for failure to state a claim upon which relief may be granted. The district court additionally denied Mir's request for sanctions against certain defendants and their attorneys pursuant to Federal Rule of Civil Procedure 11. We assume the parties' familiarity with the underlying facts, the procedural history of the case, and the issues on appeal.

We review de novo a district court's dismissal of a complaint pursuant to Federal Rule of Civil Procedure 12(b)(6), construing the "complaint liberally, accepting all factual allegations in the complaint as true, and drawing all reasonable inferences in the plaintiff's favor." *Chambers v. Time Warner, Inc.*, 282 F.3d 147, 152 (2d Cir. 2002). Likewise, we review de novo the question whether absolute immunity applies. *Giraldo v. Kessler*, 694 F.3d 161, 165 (2d Cir. 2012). We review the denial of a motion for sanctions under Rule 11 for abuse of discretion. *Perez v. Posse Comitatus*, 373 F.3d 321, 326 (2d Cir. 2004).

Upon review, we conclude that the district court properly dismissed Mir's claims and denied his request for sanctions. We affirm for substantially the same reasons stated by the district court in its thorough and well-reasoned March 27, 2015 decision.

We have considered all of Mir's arguments and find them to be without merit. Accordingly, the judgment of the district court is hereby **AFFIRMED**.

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk