FILED

MAR 10 2011

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

PATRICK ALLEN PLUMMER, Plaintiff - Appellant, v. MARICOPA COUNTY SUPERIOR COURT; et al., Defendants - Appellees.	No. 09-17667 D.C. No. 2:08-cv-01630-ROS MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
Roslyn O. Silver, District Judge, Presiding

Submitted February 15, 2011**

Before: CANBY, FERNANDEZ, and M. SMITH, Circuit Judges.

Patrick Allen Plummer appeals pro se from the district court's judgment dismissing his action challenging two state court decisions. We have jurisdiction under 28 U.S.C. § 1291. We review de novo the district court's dismissal under

---

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

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

the *Rooker-Feldman* doctrine, *Noel v. Hall*, 341 F.3d 1148, 1154 (9th Cir. 2003), and for an abuse of discretion the denial of leave to amend, *Chodos v. W. Publ'g Co.*, 292 F.3d 992, 1003 (9th Cir. 2002). We affirm.

The district court properly concluded that the *Rooker-Feldman* doctrine barred the action because it is a "forbidden de facto appeal" of two state court decisions and raises constitutional claims that are "inextricably intertwined" with those prior state court decisions. *See Noel*, 341 F.3d at 1158; *see also Bianchi v. Rylaarsdam*, 334 F.3d 895, 900 n.4 (9th Cir. 2003) (under the *Rooker-Feldman* doctrine, "[i]t is immaterial that [the plaintiff] frames his federal complaint as a constitutional challenge to the state courts' decisions, rather than as a direct appeal of those decisions").

The district court did not abuse its discretion by denying leave to file a third amended complaint. *See Chodos*, 292 F.3d at 1003 (denial of leave to amend is particularly appropriate where court previously permitted amendment).

Plummer's appeal of the denial of his motion for injunctive relief is moot. *See SEC v. Mount Vernon Mem'l Park*, 664 F.2d 1358, 1361 (9th Cir. 1982) (futile to review a district court's ruling on a request for preliminary relief where the district court has already issued a decision on the merits).

Plummer's remaining contentions are unpersuasive.

We deny Plummer's motions to supplement the record, his motion filed on July 16, 2010 to dismiss claims, and the City of Phoenix's motion for sanctions.

AFFIRMED.