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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>NIKIFOROS P. KALFOUNTZOS,</p> <p>Plaintiff - Appellant,</p> <p>v.</p> <p>SACRAMENTO COUNTY SUPERIOR COURT; CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM, Calpers,</p> <p>Defendants - Appellees.</p>
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No. 11-15402

D.C. No. 2:10-cv-02734-JAM-  
EFB

MEMORANDUM\*

Appeal from the United States District Court  
for the Eastern District of California  
John A. Mendez, District Judge, Presiding

Submitted February 28, 2012\*\*

Before: LEAVY, THOMAS, and CHRISTEN, Circuit Judges.

Nikiforos P. Kalfountzos appeals pro se from the district court's judgment dismissing his action challenging the California Public Employees' Retirement

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

System's denial of his application for retirement benefits. We have jurisdiction under 28 U.S.C. § 1291. We review de novo. *Noel v. Hall*, 341 F.3d 1148, 1154 (9th Cir. 2003)); *Barren v. Harrington*, 152 F.3d 1193, 1194 (9th Cir. 1998) (order) (dismissal under 28 U.S.C. § 1915(e)(2)). We affirm.

The district court properly dismissed Kalfountzos's action sua sponte as barred by the *Rooker-Feldman* doctrine because the action is a "forbidden de facto appeal" of a state court judgment and raises constitutional claims that are "inextricably intertwined" with the state court judgment. *Noel*, 341 F.3d at 1158; *see also Elwood v. Drescher*, 456 F.3d 943, 948 (9th Cir. 2006) ("[F]ederal courts must generally address jurisdictional issues first.").

Kalfountzos's remaining contentions are unpersuasive.

**AFFIRMED.**