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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>DONALD DAVID deROSIER,</p> <p>Plaintiff - Appellant,</p> <p>v.</p> <p>CHRISTOPHER LONGAKER; et al.,</p> <p>Defendants - Appellees.</p>

No. 12-16556

D.C. No. 2:11-cv-01617-MCE-
EFB

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Morrison C. England, Jr., Chief Judge, Presiding

Submitted December 17, 2013**

Before: GOODWIN, WALLACE, and GRABER, Circuit Judges.

Donald David deRosier, an attorney, appeals pro se from the district court’s judgment dismissing his action arising from a small claims court dispute. We have jurisdiction under 28 U.S.C. § 1291. We review de novo a district court’s dismissal under Federal Rule of Civil Procedure 12(b)(1) or (6). *Colony Cove*

* 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).

Props., LLC v. City of Carson, 640 F.3d 948, 955 (9th Cir. 2011). We affirm.

The district court properly dismissed deRosier's action as barred by the *Rooker-Feldman* doctrine because the action is "forbidden de facto appeal" of a state court judgment and raises constitutional claims that are "inextricably intertwined" with the state court judgment. *Noel v. Hall*, 341 F.3d 1148, 1158 (9th Cir. 2003); *Bianchi v. Rylaarsdam*, 334 F.3d 895, 898 (9th Cir. 2003) (concluding that the district court lacked jurisdiction where the plaintiff "essentially asked the federal court to review the state court's denial in a judicial proceeding, and to afford him the same individual remedy he was denied in state court" (internal citation and quotation marks omitted)).

Because we affirm on the basis of the *Rooker-Feldman* doctrine, we do not address deRosier's arguments concerning judicial immunity and Eleventh Amendment immunity.

deRosier's requests, set forth in his opening brief, for a new trial judge on remand and for clarification regarding his ability to recover attorney's fees are denied.

AFFIRMED.