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U.S. COURT OF APPEALS

## NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

DONALD DAVID deROSIER,

Plaintiff - Appellant,

v.

CHRISTOPHER LONGAKER; et al.,

Defendants - Appellees.

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*

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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).

*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.**