NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

NOV 30 2015

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

SAMUEL ROSEN, Plaintiff - Appellant, v. BEATRICE NELSON, Defendant - Appellee.	No. 15-56179 D.C. No. 3:15-cv-01669-WQH-BGS MEMORANDUM*

Appeal from the United States District Court
for the Southern District of California
William Q. Hayes, District Judge, Presiding

Submitted November 18, 2015**

Before: TASHIMA, OWENS, and FRIEDLAND, Circuit Judges.

Samuel Rosen appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action alleging a constitutional violation arising from a state court's dismissal of his defamation action. We have jurisdiction under 28 U.S.C. § 1291. We review de novo. *Watison v. Carter*, 668 F.3d 1108, 1112 (9th Cir.

* 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).

2012) (dismissal under 28 U.S.C. § 1915(e)(2)); *Noel v. Hall*, 341 F.3d 1148, 1154 (9th Cir. 2003) (dismissal under the *Rooker–Feldman* doctrine). We affirm.

The district court properly dismissed Rosen's action because it is a "forbidden de facto appeal" of the state court's order granting defendant Nelson's anti-SLAPP motion to strike and raises claims that are "inextricably intertwined" with the order striking Rosen's state court complaint. *See Cooper v. Ramos*, 704 F.3d 772, 777, 779 (9th Cir. 2012) (the *Rooker–Feldman* doctrine "bars a district court from exercising jurisdiction not only over an action explicitly styled as a direct appeal, but also over the 'de facto equivalent' of such an appeal," and explaining when claims are inextricably intertwined (citation omitted)).

Rosen's motion for judicial notice, filed on September 3, 2015, is denied.

Rosen's motion for appointment of counsel, filed on September 17, 2015, is denied.

AFFIRMED.