

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JAN 29 2018

FOR THE NINTH CIRCUIT

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

HOWARD HERSHIPS,

Plaintiff-Appellant,

v.

TANI CANTIL-SAKAUYE, Director of the  
California Judicial Council in her Official  
Capacity; et al.,

Defendants-Appellees.

No. 17-16188

D.C. No. 4:17-cv-00473-YGR

MEMORANDUM\*

Appeal from the United States District Court  
for the Northern District of California  
Yvonne Gonzalez Rogers, District Judge, Presiding

Submitted January 16, 2018\*\*

Before: REINHARDT, TROTT, and HURWITZ, Circuit Judges.

Howard Hershships appeals pro se from the district court's order dismissing his 42 U.S.C. § 1983 action alleging constitutional claims arising from state court proceedings. We have jurisdiction under 28 U.S.C. § 1291. We review de novo a

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\* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

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

dismissal under the *Rooker-Feldman* doctrine. *Noel v. Hall*, 341 F.3d 1148, 1154 (9th Cir. 2003). We affirm.

The district court properly dismissed Herships’s action as barred by the *Rooker-Feldman* doctrine because Herships’s claims stemming from his prior state traffic cases constitute a “de facto appeal” of prior state court judgments, or are “inextricably intertwined” with those judgments. *See id.* at 1155-57 (the *Rooker-Feldman* doctrine bars de facto appeals of a state court decision); *see also Henrichs v. Valley View Dev.*, 474 F.3d 609, 616 (9th Cir. 2007) (*Rooker-Feldman* doctrine barred plaintiff’s claim because the relief sought “would require the district court to determine the state court’s decision was wrong and thus void”).

We do not consider matters not specifically and distinctly raised and argued in the opening brief, or arguments and allegations raised for the first time on appeal. *See Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009).

Herships’s requests for judicial notice (Docket Entry Nos. 24, 50) are denied.

**AFFIRMED.**