

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

DEC 21 2017

FOR THE NINTH CIRCUIT

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

CONNIE FLORES,

Plaintiff-Appellant,

JOE FLORES; et al.,

Plaintiffs,

JAMES EDWARD SALVEN,

Intervenor-Plaintiff,

v.

DENNIS HAGOBIAN; et al.,

Defendants-Appellees.

No. 13-16880

D.C. No.

1:04-cv-06405-AWI-DLB

MEMORANDUM*

JOE FLORES,

Plaintiff-Appellant,

CONNIE FLORES; et al.,

Plaintiffs,

JAMES EDWARD SALVEN,

Intervenor-Plaintiff,

No. 13-16884

D.C. No.

1:04-cv-06405-AWI-DLB

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

v.
DENNIS HAGOBIAN; et al.,
Defendants-Appellees.

JOE FLORES and CONNIE FLORES,
Plaintiffs-Appellants,
v.
DDJ, INC.; et al.,
Defendants-Appellees.

No. 15-15472
D.C. No.
1:99-cv-05878-AWI-BAM

Appeal from the United States District Court
for the Eastern District of California
Anthony W. Ishii, District Judge, Presiding

Submitted December 18, 2017**

Before: WALLACE, SILVERMAN, and BYBEE, Circuit Judges.

Plaintiffs Joe and Connie Flores appeal the district court's orders denying their motions for relief under Federal Rule of Civil Procedure 60(b)(4) from orders allowing the intervention of the bankruptcy trustees for the bankruptcy estates of defendants in two actions under the Perishable Agricultural Commodities Act. We

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

dismiss these appeals as moot because it would be impossible for us to grant the Floreses any effective relief. *See R.E.B. v. State of Haw. Dep't of Educ.*, 870 F.3d 1025, 1027 (9th Cir. 2017) (per curiam); *Bishop Paiute Tribe v. Inyo Cty.*, 863 F.3d 1144, 1155 (9th Cir. 2017). Even if the intervention orders challenged by the Floreses were invalid, their claims in their first action, including claims they sought to assert post-judgment, would remain decided, and the district court's judgment of dismissal in the Floreses' second action would stand. In addition, the federal courts lack authority to overturn a prior state court judgment. *Scheer v. Kelly*, 817 F.3d 1183, 1186 (9th Cir. 2016) (discussing *Rooker-Feldman* doctrine).

Appellees' motion for judicial notice in appeal no. 15-15472, Docket Entry No. 3, is granted. All other pending motions are denied.

DISMISSED.