

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

FEB 22 2021

FOR THE NINTH CIRCUIT

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

ROGER QUINN,

No. 20-36070

Plaintiff-Appellant,

D.C. No. 1:20-cv-00291-DCN

v.

MEMORANDUM*

JOANNE KIBODEAUX,

Defendant-Appellee.

Appeal from the United States District Court
for the District of Idaho
David C. Nye, District Judge, Presiding

Submitted February 17, 2021**

Before: FERNANDEZ, BYBEE and BADE, Circuit Judges.

Roger Quinn appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action alleging claims related to a family court proceeding. We have jurisdiction under 28 U.S.C. § 1291. We review de novo the application of abstention under *Younger v. Harris*, 401 U.S. 37 (1971). *ReadyLink Healthcare*,

* 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).

Inc. v. State Comp. Ins. Fund, 754 F.3d 754, 758 (9th Cir. 2014). We affirm.

The district court properly dismissed Quinn’s action as barred under the *Younger* abstention doctrine because federal courts are required to abstain from interfering with pending state court proceedings where “the federal action would have the practical effect of enjoining the state proceedings.” *Id.* at 758-59 (setting forth requirements for *Younger* abstention in civil cases, and explaining that “the date for determining whether *Younger* applies is the date the federal action is filed” (citation and internal quotation marks omitted)); *H.C. ex rel. Gordon v. Koppel*, 203 F.3d 610, 612-14 (9th Cir. 2000) (explaining that *Younger* abstention is appropriate where federal action seeks to challenge ongoing state child custody proceedings).

Quinn’s motion for temporary injunction pending appeal (Docket Entry Nos. 9 and 10) is denied.

AFFIRMED.