

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 30 2023

FOR THE NINTH CIRCUIT

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

CARL THOMPSON,

No. 22-35892

Plaintiff-Appellant,

D.C. No. 3:22-cv-00075-SLG-KFR

v.

MARJORIE K. ALLARD, Judge; Chief
Judge of the Alaska Court of Appeals;
TRACEY WOLLENBERG, Judge; Judge of
the Alaska Court of Appeals; TIMOTHY W.
TERRELL, Judge; Judge Sitting by
Designation on the Alaska Court of Appeals,

MEMORANDUM*

Defendants-Appellees.

Appeal from the United States District Court
for the District of Alaska
Sharon L. Gleason, District Judge, Presiding

Submitted August 15, 2023**

Before: TASHIMA, S.R. THOMAS, and FORREST, Circuit Judges.

Alaska state prisoner Carl Thompson appeals pro se from the district court's
judgment dismissing his 42 U.S.C. § 1983 action alleging claims arising out of

* 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).

state court proceedings. We have jurisdiction under 28 U.S.C. § 1291. We review de novo the district court's dismissal under 28 U.S.C. § 1915A. *Resnick v. Hayes*, 213 F.3d 443, 447 (9th Cir. 2000). We affirm.

The district court properly dismissed Thompson's action because it was a forbidden de facto appeal of a prior state court judgment. *See Noel v. Hall*, 341 F.3d 1148, 1163 (9th Cir. 2003) (discussing the *Rooker-Feldman* doctrine).

The district court did not abuse its discretion in dismissing without leave to amend because amendment would be futile. *See Cervantes v. Countrywide Home Loans, Inc.*, 656 F.3d 1034, 1041 (9th Cir. 2011) (setting forth standard for review and explaining that leave to amend may be denied where amendment would be futile).

AFFIRMED.