**NOT FOR PUBLICATION**

FILED

JUL 23 2024

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

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

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| JANE DOE,<br><br>Plaintiff-Appellant,<br><br>v.<br><br>MARLENE BURRIS, an individual and in her judicial officer capacity as a court reporter; et al.,<br><br>Defendants-Appellees. | No. 23-55219<br><br>D.C. No. 2:21-cv-09747-SB-PD<br><br>MEMORANDUM[*] |

Appeal from the United States District Court
for the Central District of California
Stanley Blumenfeld, Jr., District Judge, Presiding

Submitted July 16, 2024[**]

Before: SCHROEDER, VANDYKE, and KOH, Circuit Judges.

Jane Doe appeals pro se from the district court's judgment dismissing her 42 U.S.C. § 1983 action arising out of state court proceedings. We have jurisdiction under 28 U.S.C. § 1291. We review de novo. *Mudpie, Inc. v. Travelers Cas. Ins.*

[*] 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).

*Co. of Am.*, 15 F.4th 885, 889 (9th Cir. 2021) (dismissal under Fed. R. Civ. P. 12(b)(6) for failure to state a claim); *Benavidez v. County of San Diego*, 993 F.3d 1134, 1141 (9th Cir. 2021) (application of the *Rooker-Feldman* doctrine). We affirm.

The district court properly dismissed Doe's action as barred by the *Rooker-Feldman* doctrine and because Doe otherwise failed to allege facts sufficient to state a plausible claim. *See Cooper v. Ramos*, 704 F.3d 772, 777-79 (9th Cir. 2012) (explaining that the *Rooker-Feldman* doctrine bars a district court from exercising jurisdiction over a "de facto" appeal of a state court decision and claims "inextricably intertwined" with that state court decision); *see also Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (explaining that a plaintiff must present factual allegations sufficient to state a plausible claim for relief; a complaint that "pleads facts that are merely consistent with a defendant's liability" is insufficient (citation and internal quotation marks omitted)).

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

The district court did not abuse its discretion in denying Doe leave to

proceed anonymously where there were insufficiently "unusual" circumstances justifying anonymity, and where Doe's true name was previously disclosed in related state court proceedings. *See Does I Thru XXIII v. Advanced Textile Corp.*, 214 F.3d 1058, 1067-69 (9th Cir. 2000) (setting forth standard and review and explaining a party may proceed anonymously in judicial proceedings only "in special circumstances when the party's need for anonymity outweighs prejudice to the opposing party and the public's interest in knowing the party's identity").

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).

Doe's request to take judicial notice of a related California Court of Appeals decision, set forth in the reply brief, is granted.

**AFFIRMED.**