

NONPRECEDENTIAL DISPOSITION

To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals
For the Seventh Circuit
Chicago, Illinois 60604

Submitted January 31, 2024*

Decided January 31, 2024

Before

ILANA DIAMOND ROVNER, *Circuit Judge*

DIANE P. WOOD, *Circuit Judge*

DAVID F. HAMILTON, *Circuit Judge*

No. 23-2418

KRISTIN BAUSCH,
Plaintiff-Appellant,

v.

JACOB FROST, et al.,
Defendants-Appellees.

Appeal from the United States District
Court for the Western District of
Wisconsin.

No. 23-cv-61-jdp

James D. Peterson,
Chief Judge.

ORDER

Kristin Bausch sued a Wisconsin judge, a guardian ad litem, and county workers who are involved in her ongoing state case, alleging that the judge did not permit her to oppose an order to garnish from her wages unpaid child support payments. The district

* We have agreed to decide the case without oral argument because the briefs and record adequately present the facts and legal arguments, and oral argument would not significantly aid the court. FED. R. APP. P. 34(a)(2)(C).

court dismissed the case on numerous grounds. We affirm the dismissal based on the requirement that we abstain from interfering in an ongoing family-court proceeding.

Bausch alleges that during her divorce proceedings, a state judge issued a temporary order that she pay child support. When she did not pay, the court held a contempt hearing and ordered Bausch's employer to garnish her wages. According to Bausch, at the hearing she was unable to oppose to her satisfaction the garnishment order. As a result, she turned to federal district court, invoking 42 U.S.C. § 1983. She contends in this suit that the wage garnishment violated federal criminal statutes and her constitutional rights.

The district court granted the defendants' motions to dismiss. It dismissed her attempt to enforce criminal statutes because she lacked authority to invoke them. As for the § 1983 claims, the court identified several obstacles: absolute immunity; abstention under *J.B. v. Woodard*, 997 F.3d 714, 722 (7th Cir. 2021) (barring federal courts from adjudicating claims that would interfere with ongoing domestic disputes in state court); the *Rooker-Feldman* doctrine, see *District of Columbia Ct. of Appeals v. Feldman*, 460 U.S. 462 (1983), *Rooker v. Fidelity Tr. Co.*, 263 U.S. 413 (1923); and the domestic-relations exception to federal jurisdiction. *Ankenbrandt v. Richards*, 504 U.S. 689, 703 (1992).

On appeal, Bausch contests these conclusions. When a district court has identified numerous threshold issues that defeat a case, the appellate court may pick from among them to affirm. *Sinochem Int'l Co. Ltd. v. Malaysia Int'l Shipping Corp.*, 549 U.S. 422, 431 (2007); *Ruhrgas AG v. Marathon Oil Co.*, 526 U.S. 574, 584 (1999). We do so here. Bausch argues that *Rooker-Feldman* does not apply because the state court has not yet issued a final order. But by confirming that her state-court case is still ongoing, she must lose on abstention grounds. *Woodard* holds that the comity, equity, and federalism principles underlying the abstention doctrines require federal courts to abstain from federal cases that would interfere with ongoing state-court domestic proceedings. 97 F.3d at 722, 724. Bausch tells us that in her ongoing state-court domestic proceeding, she continues to contest the constitutionality of its contempt hearing and garnishment order. We thus must allow that state case to proceed without our interference. See *id.* at 722–23.

We have reviewed Bausch's remaining arguments, and none has merit.

AFFIRMED