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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>JERRY O’NEIL; et al.,</p> <p>Plaintiffs - Appellants,</p> <p>v.</p> <p>STATE BAR OF MONTANA; et al.,</p> <p>Defendants - Appellees.</p>
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No. 09-35928

D.C. No. 9:08-cv-00091-DWM-JCL

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Montana  
Donald W. Molloy, District Judge, Presiding

Submitted October 19, 2010\*\*

Before: O’SCANNLAIN, LEAVY, and TALLMAN, Circuit Judges.

Jerry O’Neil and others appeal pro se from the district court’s judgment dismissing their action challenging a judgment of the Montana Supreme Court affirming a state court determination that O’Neil has engaged in the unauthorized practice of law. We have jurisdiction under 28 U.S.C. § 1291. We review de

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

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

novo. *Noel v. Hall*, 341 F.3d 1148, 1154 (9th Cir. 2003). We affirm.

The district court properly concluded that the *Rooker-Feldman* doctrine barred the action as to the claims made by plaintiff O’Neil because it constitutes a “de facto appeal” of a state court decision, and raises additional claims that are “inextricably intertwined” with the prior state court decision. *Reusser v. Wachovia Bank, N.A.*, 525 F.3d 855, 859 (9th Cir. 2008) (a federal action is barred if adjudication of the federal claims would undermine the state ruling or require the district court to review the application of state laws or procedural rules).

The district court properly concluded that the remaining plaintiffs failed to state a claim. *See Long v. County of Los Angeles*, 442 F.3d 1178, 1185 (9th Cir. 2006) (to state a claim under section 1983, a plaintiff must allege that a right secured by the Constitution or laws of the United States was violated).

Appellants’ remaining contentions are unpersuasive.

**AFFIRMED.**