

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 21 2023

FOR THE NINTH CIRCUIT

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

GARY A. CORDERY,

Plaintiff-Appellant,

v.

HAWAII SUPREME COURT; MARK E.
RECKTENWALD; HOLLY T. SHIKADA,
Esquire, Deputy Assistant Attorney General,
Attorney General for the State of Hawaii,

Defendants-Appellees.

No. 22-16970

D.C. No. 1:22-cv-00439-HG-KJM

MEMORANDUM*

Appeal from the United States District Court
for the District of Hawaii
Helen W. Gillmor, District Judge, Presiding

Submitted August 15, 2023**

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

Gary A. Cordery appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action alleging constitutional violations arising out of his state court case. We have jurisdiction under 28 U.S.C. § 1291. We

* 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).

review de novo. *Seismic Reservoir 2020, Inc. v. Paulsson*, 785 F.3d 330, 333 (9th Cir. 2015) (dismissal under Fed. R. Civ. P. 12(b)(1) and 12(b)(6)); *Noel v. Hall*, 341 F.3d 1148, 1154 (9th Cir. 2003) (dismissal under the *Rooker-Feldman* doctrine). We affirm.

The district court properly concluded that it lacked subject matter jurisdiction under the *Rooker-Feldman* doctrine because Cordery’s action is a “forbidden de facto appeal” of a state court judgment and raises claims that are “inextricably intertwined” with that judgment. *See Noel*, 341 F.3d at 1158, 1163 (discussing the *Rooker-Feldman* doctrine); *see also Cooper v. Ramos*, 704 F.3d 772, 779 (9th Cir. 2012) (explaining that claims are “inextricably intertwined” where “the relief requested in the federal action would effectively reverse the state court decision or void its ruling” (citation and internal quotation marks omitted)).

AFFIRMED.