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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BRYAN DAMON PATTERSON,

Petitioner,

No. CIV S-09-0768 GEB EFB P

vs.

SUPERIOR COURT OF SOLANO COUNTY,

Respondent.

FINDINGS AND RECOMMENDATIONS

_____/

Petitioner, a defendant in a criminal state court action, has filed six petitions that he styles as petitions for writs of mandate and one petition that he identifies as a petition for a writ of prohibition. Dckt. Nos. 1, 2, 8-12. He claims that the Solano County Superior Court erroneously denied his motion to dismiss the criminal case based on *Brady* violations.¹ He asks this court to prevent the Superior Court from proceeding to trial in his criminal case, either by staying the action or by dismissing it entirely. *See, e.g.*, Dckt. No. 1 at 4; Dckt. No. 8 at 1.

The petitions are captioned “In the Court of Appeal of the State of California, the Eastern Appellate District, Division Sacramento.” Petitioner may have intended to file his petitions in the California Court of Appeal rather than in this court. Regardless of petitioner’s intentions, a

¹ *See Brady v. Maryland*, 373 U.S. 83, 86 (1963) (prosecutor’s suppression of evidence violated defendant’s due process rights).

1 federal district court does not have jurisdiction to review legal errors in state court decisions.
2 *Dist. of Columbia Court of Appeals v. Feldman*, 460 U.S. 462 (1983); *Rooker v. Fidelity Trust*
3 *Co.*, 263 U.S. 413, 415 (1923). *See also Noel v. Hall*, 341 F.3d 1148, 1164 (9th Cir. 2003) (a
4 federal plaintiff who seeks relief from a state court judgment based on allegedly erroneous
5 decision is barred by the *Rooker-Feldman* doctrine because the federal court lacks subject matter
6 jurisdiction). This court therefore lacks jurisdiction to consider petitioner's requests.

7 Accordingly, it is RECOMMENDED that:

- 8 1. Petitioner's petitions for writs of mandate and prohibition, Dckt. Nos. 1, 2, 8-12, be
9 denied; and
10 2. The Clerk be directed to close the case.

11 These findings and recommendations are submitted to the United States District Judge
12 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within 21 days after
13 being served with these findings and recommendations, any party may file written objections
14 with the court and serve a copy on all parties. Such a document should be captioned "Objections
15 to Magistrate Judge's Findings and Recommendations." Failure to file objections within the
16 specified time may waive the right to appeal the District Court's order. *Turner v. Duncan*, 158
17 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

18 Dated: February 9, 2010.

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20 EDMUND F. BRENNAN
21 UNITED STATES MAGISTRATE JUDGE
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