NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

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No. 19-1887

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ELADIO CRUZ,

Appellant

v.

HONORABLE JAN JURDEN;
WARDEN DANA METZGER

_____

On Appeal from the United States District Court
for the District of Delaware
(D.C. Civil Action No. 18-cv-00370)
District Judge: Honorable Leonard P. Stark

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Submitted Pursuant to Third Circuit LAR 34.1(a)
January 2, 2020

Before: SHWARTZ, RESTREPO and RENDELL, Circuit Judges

(Opinion filed: January 17, 2020)

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O P I N I O N*

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PER CURIAM

* This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not constitute binding precedent.

Appellant Eladio Cruz, proceeding pro se, appeals from the District Court's order dismissing his complaint. For the reasons that follow, we will affirm in part and vacate in part the District Court's order.

Cruz's complaint concerned an alleged clerical error made in connection with his August 6, 1991 sentencing. Cruz claimed that certain documents he received stated that he would be eligible for parole as early as 2009. However, when he applied for parole in 2012, the Parole Board informed him that he was ineligible. After Delaware Superior Court Judge Jan Jurden declined to correct his sentence, Cruz initiated this lawsuit against her claiming a due process violation and the intentional infliction of emotional distress. In addition to seeking damages, Cruz asked the District Court to "reverse the lower court's decision." Complaint 6, ECF No. 2. Pursuant to 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(a), the District Court screened Cruz's complaint and dismissed it as legally frivolous, holding that Cruz's claims were barred by the statute of limitations, as well as by Judge Jurden's absolute immunity from suit. Cruz appealed.

We have appellate jurisdiction under 28 U.S.C. § 1291. We exercise plenary review over the District Court's dismissal of Cruz's complaint as legally frivolous. See Allah v. Seiverling, 229 F.3d 220, 223 (3d Cir. 2000).

First, although Cruz does not challenge the District Court's exercise of jurisdiction over his complaint, we have an independent obligation to inquire sua sponte into the District Court's jurisdiction. United States v. Higgs, 504 F.3d 456, 457 (3d Cir. 2007). Upon review, we conclude that the District Court lacked jurisdiction to the extent that Cruz requested the District Court's review and reversal of state court decisions. It is

well-settled that inferior federal courts lack jurisdiction to review state court judgments. See D.C. Court of Appeals v. Feldman, 460 U.S. 462, 482 (1983); Rooker v. Fidelity Trust Co., 263 U.S. 413, 416 (1923). The Rooker-Feldman doctrine bars from federal consideration "cases brought by state-court losers complaining of injuries caused by state-court judgments rendered before the district court proceedings commenced and inviting district court review and rejection of those judgments." Exxon Mobil Corp. v. Saudi Basic Indus. Corp., 544 U.S. 280, 284 (2005). It is limited to cases where the complained-of injury stems directly from the state court's proceedings, see Great W. Mining & Mineral Co. v. Fox Rothschild LLP, 615 F.3d 159, 167 (3d Cir. 2010), and where the state court's judgment was "effectively final," see Malhan v. Sec'y U.S. Dep't of State, 938 F.3d 453, 459 (3d Cir. 2019).

Cruz asked the District Court to reverse the Delaware Superior Court's decision not to correct his sentence with instructions to correct its alleged clerical error and resentence him, and he renews this request on appeal. Cruz's complained-of injuries arose directly from his sentence and the Delaware Superior Court's decision not to correct his sentence, both of which were effectively final judgments. See Malhan, 938 F.3d at 459 (quoting Federacion de Maestros de Puerto Rico v. Junta de Relaciones del Trabajo de Puerto Rico, 410 F.3d 17 (1st Cir. 2005)) (explaining that a state court decision is effectively final where it has "reached a point where neither party seeks further action"). To that extent, the District Court lacked jurisdiction to hear Cruz's claims.

Additionally, Cruz asked the District Court to award damages stemming from the alleged fact that he was wrongfully denied parole. However, such a claim is not cognizable because it implies the invalidity of Cruz's continued detention and he is unable to demonstrate that the parole decision has been invalidated. See Heck v. Humphrey, 512 U.S. 477, 486–87 (1994) (holding that a state prisoner's claim for damages is not cognizable under 42 U.S.C. § 1983 if it calls into question the validity of his confinement, unless he can demonstrate that the conviction has already been invalidated); see also Williams v. Consovoy, 453 F.3d 173, 176–77 (3d Cir. 2006) (applying Heck where a prisoner's § 1983 claim necessarily invalidated the Parole Board's decision to revoke his parole). Accordingly, the District Court should have dismissed this claim pursuant to Heck without prejudice to Cruz bringing a § 1983 action if he is ultimately successful in invalidating his conviction. See Trimble v. City of Santa Rosa, 49 F.3d 583, 585 (9th Cir. 1995).

Finally, Cruz's complaint can be read to include claims that are not Heck-barred or barred by the Rooker-Feldman doctrine. See Erickson v. Pardus, 551 U.S. 89, 94 (2007) (per curiam) (noting the obligation to construe pro se filings liberally). As to those claims, the District Court was correct in concluding that they are either time-barred, see Fogle v. Pierson, 435 F.3d 1252, 1258 (10th Cir. 2006) (explaining that if it is obvious from the face of the complaint that a claim is barred by the applicable statute of limitations, a court may dismiss the claim sua sponte under § 1915), or else barred by the doctrine of judicial immunity, see Azubuko v. Royal, 443 F.3d 302, 303 (3d Cir. 2006) (per curiam). Additionally, the District Court did not err in determining that any attempt

to amend those claims would be futile. See Grayson v. Mayview State Hosp., 293 F.3d 103, 111 (3d Cir. 2002).

In sum, we will vacate the order of dismissal in part and affirm it in part and remand this matter to the District Court for further proceedings. We will vacate the District Court's decision to the extent that the District Court exercised jurisdiction over claims barred by the Rooker-Feldman doctrine and dismissed Heck-barred claims with prejudice under 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(a). On remand, the District Court is directed to dismiss the Rooker-Feldman-barred claims for lack of jurisdiction and to dismiss the Heck-barred claims without prejudice. Finally, we will affirm the District Court's decision regarding any remaining claims.