

NONPRECEDENTIAL DISPOSITION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 April 13, 2023*

Decided April 18, 2023

Before

FRANK H. EASTERBROOK, *Circuit Judge*

DIANE P. WOOD, *Circuit Judge*

THOMAS L. KIRSCH II, *Circuit Judge*

No. 22-2522

TERRENCE FITCH,
Plaintiff-Appellant,

v.

THOMAS McADAMS, et al.,
Defendants-Appellees.

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

No. 22-C-0523

Lynn Adelman,
Judge.

ORDER

Terrence Fitch appeals the dismissal of his suit against a Wisconsin state judge and others involved in his child-support proceedings, who, he believes, violated his civil rights by enforcing payments without due process. Because the district court correctly dismissed his case as frivolous, we affirm.

* We have agreed to decide the case without oral argument because the appeal is frivolous. FED. R. APP. P. 34(a)(2)(A).

In 2018, Fitch began litigating child-custody and support obligations in state court. The state-court judge ordered preliminary child-support payments based on the parents' respective incomes. Fitch later lost his job. He submitted affidavits explaining that he no longer had an income but did not submit tax returns or earnings information that the judge had requested. As a result, the judge updated the child-support order based on an estimate of Fitch's income from his previous job. After Fitch eventually secured new employment, the state child-support agency initiated wage-garnishment proceedings. Fitch responded by filing affidavits and related motions contesting that he could afford the court-ordered payments. But he did not appeal the final child-custody and support decision.

In 2022, Fitch—more than \$18,000 in arrears for child-support payments—brought this civil rights suit against the state-court judge, the guardian ad litem, the state-court clerk, and several state child-support agency attorneys. He asserted various constitutional claims—primarily, violations of his due process rights in not receiving a hearing before the state began enforcing support payments through wage garnishment and property liens. *See* 42 U.S.C. § 1983.

The district court granted the defendants' motions to dismiss Fitch's complaint for lack of subject-matter jurisdiction on two independent grounds. First, the court determined that the *Rooker-Feldman* doctrine barred the suit because Fitch was seeking redress for injuries caused by orders entered in the state court. *See D.C. Ct. of Appeals v. Feldman*, 460 U.S. 462 (1983); *Rooker v. Fidelity Trust Co.*, 263 U.S. 413 (1923). Alternatively, the court concluded that the suit was frivolous and—as a sanction—would be dismissed with prejudice. The court warned Fitch that he would face harsher sanctions if he continued to file frivolous claims against these defendants.

On appeal, Fitch challenges the district court's jurisdictional ruling and asserts that the state defendants violated his constitutional rights by enforcing his child-support obligations through a “fake and deceptive judicial process.” We agree with the district court that Fitch's suit is so devoid of merit that it fails to engage the jurisdiction of the federal courts. *Hagans v. Lavine*, 415 U.S. 528, 536–37 (1974); *Restoration Risk Retention Grp., Inc. v. Gutierrez*, 880 F.3d 339, 346 (7th Cir. 2018). Fitch essentially maintains that state employees violated his rights by completing their duties, but such allegations provide no basis for civil liability in federal court.

Because we uphold the dismissal of the case for lack of jurisdiction, we need not address the defendants' other bases for dismissal.

AFFIRMED