

United States Court of Appeals  
For the Eighth Circuit

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No. 21-1820

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Billy Ray Johnson

*Plaintiff - Appellant*

v.

Kilolo Kijakazi,<sup>1</sup> Acting Commissioner of Social Security Administration

*Defendant - Appellee*

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Appeal from United States District Court  
for the Eastern District of Arkansas - Central

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Submitted: August 18, 2021

Filed: August 23, 2021

[Unpublished]

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Before SHEPHERD, GRASZ, and KOBES, Circuit Judges.

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PER CURIAM.

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<sup>1</sup>Kilolo Kijakazi has been appointed to serve as Acting Commissioner of Social Security, and is substituted as appellee pursuant to Federal Rule of Appellate Procedure 43(c).

Billy Johnson appeals the district court's<sup>2</sup> dismissal of his pro se action for lack of subject matter jurisdiction. Upon de novo review, see ABF Freight Sys., Inc. v. Int'l Bhd. of Teamsters, 645 F.3d 954, 958 (8th Cir. 2011) (standard of review), we affirm. We agree with the district court that it lacked subject matter jurisdiction, as Johnson's action did not appeal a final administrative decision or seek to order the Commissioner to perform a clear, non-discretionary duty, see 42 U.S.C. §§ 405(g), 405(h) (limiting judicial review to Commissioner's final decision after administrative law judge hearing); 28 U.S.C. § 1361 (mandamus jurisdiction); and as review of the state's child support orders was precluded by the Rooker-Feldman<sup>3</sup> doctrine, see Hageman v. Barton, 817 F.3d 611, 614 (8th Cir. 2016) (under Rooker-Feldman, lower federal courts lack jurisdiction over actions seeking review of, or relief from, state court judgments). We also find no abuse of discretion in the denial of Johnson's motion for default judgment. See Weitz Co. LLC v. MacKenzie House, LLC, 665 F.3d 970, 977 (8th Cir. 2012) (standard of review).

The judgment is affirmed. See 8th Cir. R. 47B.

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<sup>2</sup>The Honorable James M. Moody, Jr., United States District Judge for the Eastern District of Arkansas, adopting the report and recommendations of the Honorable Beth Deere, United States Magistrate Judge for the Eastern District of Arkansas.

<sup>3</sup>See D.C. Ct. of Appeals v. Feldman, 460 U.S. 462, 482 n.16 (1983); Rooker v. Fid. Tr. Co., 263 U.S. 413, 415-16 (1923).