

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAR 19 2019

FOR THE NINTH CIRCUIT

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

WILLIAM A. SALZWEDEL, on behalf of
himself, and all others adversely affected by
similar state action,

Plaintiff-Appellant,

v.

STATE OF CALIFORNIA; et al.,

Defendants-Appellees.

No. 18-55574

D.C. No. 2:17-cv-03156-AB-RAO

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Andre Birotte, Jr., District Judge, Presiding

Submitted March 12, 2019**

Before: LEAVY, BEA, and N.R. SMITH, Circuit Judges.

William A. Salzwedel appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action alleging various claims stemming from his dual role as attorney and trustee in a California probate court. We have jurisdiction

* 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).

under 28 U.S.C. § 1291. We review de novo. *Kougasian v. TMSL, Inc.*, 359 F.3d 1136, 1139 (9th Cir. 2004) (dismissal under *Rooker–Feldman* doctrine); *Canatella v. California*, 304 F.3d 843, 852 (9th Cir. 2002) (dismissal for lack of standing). We affirm.

The district court properly dismissed for lack of standing Salzwedel’s claims asserted on behalf of third parties. *See Lujan v. Defs. of Wildlife*, 504 U.S. 555, 560-61 (1992) (constitutional standing requires an “injury in fact,” causation, and redressability); *Coalition of Clergy, Lawyers, & Professors v. Bush*, 310 F.3d 1153, 1163 (9th Cir. 2002) (setting forth third-party standing requirements).

The district court properly dismissed as barred by the *Rooker–Feldman* doctrine Salzwedel’s first and second claims because they are a de facto appeal of decisions of the California probate and appellate courts and are inextricably intertwined with those state court decisions. *See Kougasian*, 359 F.3d at 1139 (“*Rooker–Feldman* prohibits a federal district court from exercising subject matter jurisdiction over a suit that is a de facto appeal from a state court judgment.”); *see also Cooper v. Ramos*, 704 F.3d 772, 782 (9th Cir. 2012) (explaining that *Rooker–Feldman* doctrine bars “inextricably intertwined” claim where federal adjudication “would impermissibly undercut the state ruling on the same issues” (citation and

internal quotation marks omitted)).

Salzwedel's requests for judicial notice, set forth in his opening brief, and his motion for judicial notice (Docket Entry No. 18) are granted.

AFFIRMED.