

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

NOV 25 2022

FOR THE NINTH CIRCUIT

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

JAMES CONERLY; MARILYN
TILLMAN-CONERLY,

Plaintiffs-Appellants,

v.

JAMIE DAVENPORT; PETER K.
SOUTHWORTH; KIVONNE NASH;
OFFICIAL PEST PREVENTION, INC.;
SUPERIOR COURT OF SACRAMENTO
COUNTY,

Defendants-Appellees.

No. 21-17081

D.C. No. 2:21-cv-01600-KJM-KJN

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Kimberly J. Mueller, District Judge, Presiding

Submitted November 15, 2022**

Before: CANBY, CALLAHAN, and BADE, Circuit Judges.

James Conerly and Marilyn Tillman-Conerly appeal pro se from the district court's judgment dismissing their action alleging federal claims arising from state

* 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).

court small claims proceedings. We have jurisdiction under 28 U.S.C. § 1291. We review de novo a dismissal for lack of subject matter jurisdiction on the basis of the *Rooker-Feldman* doctrine. *Wolfe v. Strankman*, 392 F.3d 358, 362 (9th Cir. 2004). We affirm.

The district court properly dismissed plaintiffs’ action because it is a “forbidden de facto appeal” of a state court small claims judgment and raises issues that are “inextricably intertwined” with that judgment. *Noel v. Hall*, 341 F.3d 1148, 1158, 1163 (9th Cir. 2003) (discussing the *Rooker-Feldman* doctrine); *see also Cooper v. Ramos*, 704 F.3d 772, 779 (9th Cir. 2012) (noting claims are “inextricably intertwined” for purposes of the *Rooker-Feldman* doctrine where “the relief requested in the federal action would effectively reverse the state court decision or void its ruling” (citation and internal quotation marks omitted)).

AFFIRMED.