

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

JACOB C. SPRINGER,)	
)	
Plaintiff,)	
v.)	CASE NO. 3:11-cv-936-MEF
)	
STEVE PERRYMAN, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

On November 30, 2011, the Magistrate Judge filed a Recommendation (Doc. # 23) that this Court grant Defendants’ motions to dismiss (Docs. # 5, 13, 15, 19) and dismiss Plaintiff’s Complaint (Doc. # 1) based upon the *Rooker-Feldman* doctrine and issue preclusion. Plaintiff has filed a timely Objection to the Recommendation. (Doc. # 24.) The court reviews *de novo* the portion of the Recommendation to which the Objection applies. 28 U.S.C. § 636(b)(1). For the reasons that follow, the Objection is due to be overruled and the Recommendation adopted.

Plaintiff’s Objection is largely rambling, but does offer one teachable moment for the Court regarding application of the *Rooker-Feldman* doctrine. Towards the end of the Objection, Plaintiff states that “[he] came to the Court of Last Resort in this District, which is the United States District Court for the Middle District of Alabama.” (Obj. 5-6.) This sentence betrays Plaintiff’s misunderstanding of our federal system. The lower federal courts do not have appellate jurisdiction over the state courts. As stated by the Eleventh Circuit in a previous attempt by Mr. Springer to obtain the same relief (which is also why issue

preclusion applies), “[t]he *Rooker-Feldman* doctrine provides that ‘lower federal courts are precluded from exercising appellate jurisdiction over final state-court judgments.’” *Springer v. Perryman*, 401 F. App’x 457, 458 (11th Cir. 2010) (quoting *Nicholson v. Shafe*, 558 F.3d 1266, 1270 (11th Cir. 2009)). Plaintiff’s claims are due to be dismissed without prejudice for lack of subject matter jurisdiction. *See Georgiacarry.org v. Toomer*, 414 F. App’x 227, 228 (11th Cir. 2011).

Accordingly, it is ORDERED:

- (1) Plaintiff’s Objection (Doc. # 24) is OVERRULED;
- (2) The Magistrate Judge’s Recommendation (Doc. # 23) is ADOPTED; and
- (3) Defendants’ motions to dismiss (Docs. # 5, 13, 15, 19) are GRANTED.

An appropriate judgment will be entered.

DONE this the 22nd day of December, 2011.

/s/ Mark E. Fuller
UNITED STATES DISTRICT JUDGE