

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

MAVIS MERRIWEATHER

PLAINTIFF

v.

No. 4:11-cv-717-DPM

INTERNATIONAL INSURANCE
COMPANY; SALLY BURGESS FARRIS,
a/k/a Sally Burgess Merriweather; and
TRACY MERRIWEATHER

DEFENDANTS

ORDER

Mavis Merriweather alleges she was wronged when a state-court probate judge “wrongfully determined that [Merriweather] had not proved she was the sole surviving spouse of the decedent and that she was not entitled to receive proceeds of the annuity of William Merriweather.” *Document No. 6, at 2.* Merriweather asks this Court to “find her to be the lawfully, sole surviving spouse of Decedent, William Merriweather[.]”

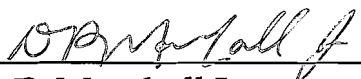
The *Rooker-Feldman* doctrine bars suits in district court “brought by state-court losers complaining of injuries caused by state-court judgments rendered before the district court proceedings commenced and inviting district court review and rejection of those judgments.” *Exxon Mobil Corp. v.*

Saudi Basic Industries Corp., 544 U.S. 280, 284 (2005). This is exactly what Merriweather asks the Court to do. The Court therefore lacks subject-matter jurisdiction over this claim.

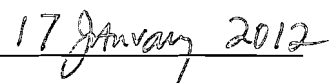
Further, to the extent her fraud claim is something beyond a collateral attack on the Missouri court's judgment about her spousal rights and the annuity, Merriweather has not established subject-matter jurisdiction. Her suit presents no federal questions; and her amended complaint provides no basis for diversity jurisdiction, 28 U.S.C. § 1332, because there is no information about the amount in controversy and insufficient information about the insurance company's citizenship to establish complete diversity.

Merriweather's complaint is dismissed without prejudice for lack of subject-matter jurisdiction. Motion to appoint counsel, *Document No. 7*, denied as moot.

So Ordered.



D.P. Marshall Jr.
United States District Judge



17 January 2012