

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 13-1731 CAS (RZ) Date March 15, 2013

Title RICHARD MARKOWICZ, et al., v. SUPERIOR COURT OF CALIFORNIA, et al.

Present: The Honorable RALPH ZAREFSKY, U.S. MAGISTRATE JUDGE

Ilene Bernal

N/A

Deputy Clerk

Court Reporter / Recorder

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

N/A

N/A

**Proceedings:**

In Chambers –

**ORDER –**

- 1. TO SHOW CAUSE RE DISMISSAL (*ROOKER AND IMMUNITY*);**
- 2. STAYING ACTION**

Plaintiffs allege that Superior Court Judge Ronald Sohigian, in presiding over their home-equity-loan fraud case (no. BC418153), was rude and wrongfully refused to enter default judgments. This Court takes judicial notice that in response, they petitioned the California Court of Appeal (in case nos. B233602 and B245783) and California Supreme Court (in case no. S208096), but both higher courts denied relief. The latter denial occurred on February 4, 2013. Plaintiffs now sue Judge Sohigian and his court, alleging that his errors and misconduct violated federal and state law.

The Court ORDERS Plaintiffs to show cause in writing within 30 days why this action should not be dismissed, under what is commonly known as the *Rooker/Feldman* doctrine, for lack of jurisdiction over what is essentially an appeal from an unfavorable state-court ruling. *See Johnson v. De Grandy*, 512 U.S. 997, 1005-06, 114 S.Ct. 2647, 129 L.Ed.2d 775 (1994); *see also Dubinka v. Judges of the Superior Court*, 23 F.3d 218, 221 (9th Cir. 1994) (doctrine applies even when the challenge asserts federal legal issues). In addition, Plaintiffs shall show cause why, even if the Court does not abstain under *Rooker/Feldman*, the action should not be dismissed *with* prejudice based on the doctrine of absolute judicial immunity. *See Mireles v. Waco*, 502 U.S. 9, 112 S.Ct. 286, 116 L.Ed.2d 9 (1991).

*Plaintiffs shall serve a copy of this Order on all Defendants in conjunction with service of process* (or, if process already has been served, forthwith thereafter).

Pending resolution of this show-cause order, the Court STAYS this action. No Defendant served with process need respond to the Complaint until the stay is vacated, but Defendants may file an optional response to Plaintiff's return to this Order within 10 days of service of that return.

Initials of Preparer

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