

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 14-4983 DDP (RZ)	Date	July 21, 2014
Title	NATHAN AVRAHAM v. JUDGE PRO TEM DAVID J. COWAN		

Present: The Honorable	RALPH ZAREFSKY, U.S. MAGISTRATE JUDGE		
	Ilene Bernal		N/A
	Deputy Clerk		Court Reporter / Recorder
	Attorneys Present for Plaintiff(s):		Attorneys Present for Defendant(s):
	N/A		N/A

**Proceedings:** (IN CHAMBERS)  
ORDER –  
1. TO SHOW CAUSE RE DISMISSAL (*ROOKER* AND IMMUNITY);  
2. STAYING ACTION

Plaintiff sues Superior Court Judge *Pro Tem* David J. Cowan, who presided over Plaintiff’s marital dissolution case (no. SD027039). Plaintiff alleges that Judge Cowan erred, and violated federal law, in rulings involving a home embroiled in the dispute. This Court takes judicial notice that, although Plaintiff appealed certain 2010 and 2011 rulings to the California Court of Appeal (in case no. B234607), he has filed no state-court challenges to the 2013 rulings that are at issue here.

The Court ORDERS Plaintiff 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 unfavorable state-court rulings. *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, Plaintiff 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 (1991).

*Plaintiff shall serve a copy of this Order on Defendant 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. If served with process, Defendant need not respond to the Complaint until the stay is vacated, but Defendant may file an optional response to Plaintiff’s return to this Order within 10 days of service of that return.

Initials of Preparer \_\_\_\_\_ : \_\_\_\_\_  
igb