



**I. PLAINTIFF’S ALLEGATIONS**

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2 Plaintiff names as the only defendant her ex-husband, Chris Vi-Geant. See ECF  
3 No. 1, pgs. 1, 2. Though Plaintiff resides in California and Defendant resides in Washington,  
4 Plaintiff specifically alleges that this action arises under the Court’s federal question jurisdiction.  
5 See id. at 3. In support of her allegation of federal question jurisdiction, Plaintiff cites Sections  
6 233, 602, and 402 of the Social Security Act as well as 42 U.S.C. §§ 659 and “(b)(1)2000.” See  
7 id. at 4, 16. Plaintiff states she is suing for “current alimony and spousal arrears she is lawfully  
8 entitled to. . .since March of 2015” as well as “her share of Defendant Vigeant’s Motion Picture  
9 Retirement benefits. . . .” Id. at 16-17. According to Plaintiff, on June 6, 2019, she “sent a Filing  
10 to the Court of Appeal here ALL the issues should have been resolved. . . .” Id. at 20. Plaintiff  
11 states she received notice from the court stating that her appeal had been denied. See id. Plaintiff  
12 adds: “The court of Appeals in Sacramento erred greatly in their final DENIAL.” Id. at 21. In a  
13 letter from Plaintiff’s friend, Sandra Pooley, which Plaintiff attached to her complaint, Plaintiff  
14 also references a trial court action. See id. at 27.

**II. DISCUSSION**

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17 At the outset, the Court observes that none of the statutes cited by Plaintiff  
18 supports a claim for relief. Plaintiff cites section 233 of the Social Security Act. Section 233, 42  
19 U.S.C. § 433, relates to the President’s authorization to enter into international agreements  
20 involving the social security systems in foreign countries. Plaintiff cites section 602 of the Social  
21 Security Act. Section 602 authorizes the Coronavirus State Fiscal Recovery Fund and the  
22 Coronavirus Local Fiscal Recovery Fund, which authorize payments to the states under the  
23 American Rescue Plan Act of 2021. Plaintiff cites section 402 of the Social Security Act.  
24 Section 402, 42 U.S.C. § 602, defines eligible state plans participating in the Family Assistance  
25 Program. Plaintiff cites “42 U.S.C. § (b)(1)2000.” Section 2000b-1, if this is the provision to  
26 which Plaintiff refers, provides for the liability of the United States for costs and attorney’s fees.  
27 Finally, Plaintiff cites 42 U.S.C. § 659. Section 659 establishes the consent of the United States  
28 to income withholding, garnishment, and similar proceedings under state law for the enforcement

1 of child support and alimony obligations.

2 In any event, this Court lacks jurisdiction to hear Plaintiff's claims. Under the  
3 Rooker-Feldman abstention doctrine, federal courts lack jurisdiction to hear matters already  
4 decided in state court. See Rooker v. Fidelity Trust Co., 263 U.S. 413 (1923); District of  
5 Columbia Court of Appeals v. Feldman, 460 U.S. 462 (1983). The doctrine applies in cases  
6 "brought by state court losers complaining of injuries caused by state court judgments rendered  
7 before the district court proceedings commenced and inviting district court review and rejection  
8 of those judgments." Exxon Mobil Corp. v. Saudi Basic Industries Corp., 544 U.S. 280 (2005).  
9 An exception, inapplicable here, would be where Congress expressly grants federal courts  
10 jurisdiction to review state court judgments (such as habeas corpus, for example).

11 Here, it is clear based on Plaintiff's references to a divorce and various state trial  
12 and appellate court proceedings that she is not happy with the way her divorce was concluded or  
13 the way the state courts handled her case. This Court has no jurisdiction to intervene. Any  
14 remedies lie with the state courts.

### 15 16 III. CONCLUSION

17 Based on the foregoing, the undersigned recommends that this action be dismissed  
18 for lack of jurisdiction.

19 These findings and recommendations are submitted to the United States District  
20 Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within 14 days  
21 after being served with these findings and recommendations, any party may file written objections  
22 with the Court. Responses to objections shall be filed within 14 days after service of objections.  
23 Failure to file objections within the specified time may waive the right to appeal. See Martinez v.  
24 Ylst, 951 F.2d 1153 (9th Cir. 1991).

25  
26 Dated: September 3, 2021



27 DENNIS M. COTA  
28 UNITED STATES MAGISTRATE JUDGE