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8	IN THE UNITED ST	ATES DISTRICT COURT
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	JULIE VI-GEANT,	No. 2:20-CV-2173-JAM-DMC
12	Plaintiff,	
13	V.	FINDINGS AND RECOMMENDATIONS
14	CHRIS D. VIGEANT,	
15	Defendant.	
16		
17	Plaintiff, who is proceeding pro se, brings this civil action. Pending before the	
18	Court is Plaintiff's complaint, ECF No. 1.	
19	The Court is required to screen complaints brought by litigants who have been	
20	granted leave to proceed in forma pauperis. See 28 U.S.C. § 1915(e)(2). Under this screening	
21	provision, the Court must dismiss a complaint or portion thereof if it: (1) is frivolous or	
22	malicious; (2) fails to state a claim upon which relief can be granted; or (3) seeks monetary relief	
23	from a defendant who is immune from such relief. See 28 U.S.C. §§ 1915(e)(2)(A), (B).	
24	Moreover, pursuant to Federal Rule of Civil Procedure 12(h)(3), this Court must dismiss an	
25	action if the court determines that it lacks subj	ect matter jurisdiction. Because Plaintiff has been
26	granted leave to proceed in forma pauperis, the Court will screen the complaint pursuant to §	
27	1915(e)(2). Pursuant to Rule 12(h)(3), the Court will also consider as a threshold matter whether	
28	it has subject-matter jurisdiction.	
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## I. PLAINTIFF'S ALLEGATIONS

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. 15 16 II. DISCUSSION 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

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American Rescue Plan Act of 2021. Plaintiff cites section 402 of the Social Security Act.

Section 402, 42 U.S.C. § 602, defines eligible state plans participating in the Family Assistance

Program. Plaintiff cites "42 U.S.C. § (b)(1)2000." Section 2000b-1, if this is the provision to

which Plaintiff refers, provides for the liability of the United States for costs and attorney's fees.

Finally, Plaintiff cites 42 U.S.C. § 659. Section 659 establishes the consent of the United States

to income withholding, garnishment, and similar proceedings under state law for the enforcement

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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	
17 18	Based on the foregoing, the undersigned recommends that this action be dismissed for lack of jurisdiction.	
18	for lack of jurisdiction.	
18 19	for lack of jurisdiction. These findings and recommendations are submitted to the United States District	
18 19 20	for lack of jurisdiction. These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(l). Within 14 days	
18 19 20 21	for lack of jurisdiction. These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(l). Within 14 days after being served with these findings and recommendations, any party may file written objections	
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