

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BENJAMIN VILLANUEVA,
Plaintiff,
v.
SANTA CLARA COUNTY,
Defendant.

Case No. [15-cv-04828-PSG](#)
**ORDER DENYING MOTION TO
VACATE**
(Re: Docket No. 50)

In September 2015, the Superior Court of California, County of Santa Clara granted a motion to dismiss a lawsuit by Plaintiff Benjamin Villanueva.¹ Now before this court is Villanueva’s motion to vacate the state court order.² Under what is known as the *Rooker-Feldman* doctrine, “federal district courts are without jurisdiction to hear direct appeals from the judgments of state courts.”³ “The doctrine bars a district court from exercising jurisdiction not only over an action explicitly styled as a direct appeal, but also over the ‘de facto equivalent’ of such an appeal.”⁴ That is precisely what Villanueva requests here, and this court has no jurisdiction to grant Villanueva the relief he seeks. The motion is DENIED.⁵

¹ See *Villanueva v. Harper*, Case No. 2015-1-CV-276372 (Cal. Sup. Ct. Sept. 1, 2015).

² See Docket No. 50. Separately, Villanueva has appealed that order through the state court system. See Docket No. 55-3, Ex. G.

³ *Cooper v. Ramos*, 704 F.3d 772, 777 (9th Cir. 2012); see also *D.C. Court of Appeals v. Feldman*, 460 U.S. 462, 476 (1983); *Rooker v. Fidelity Trust Co.*, 263 U.S. 413, 415-16 (1923).

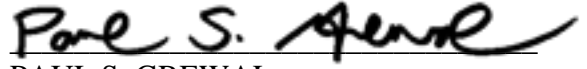
⁴ *Cooper*, 704 F.3d at 777 (quoting *Noel v. Hall*, 341 F.3d 1148, 1155 (9th Cir. 2003)).

⁵ Pursuant to Civ. L.R. 7-1(b), the court resolves this motion without oral argument. The court also notes that Villanueva did not timely file a reply brief under Civ. L.R. 7-3(d).

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SO ORDERED.

Dated: March 3, 2016



PAUL S. GREWAL
United States Magistrate Judge