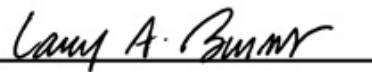


1 *Rooker-Feldman* doctrine. See *Carmona v. Carmona*, 603 F.3d 1041, 1050 (9th Cir. 2010)
2 (“The *Rooker-Feldman* doctrine . . . stands for the relatively straightforward principle that
3 federal district courts do not have jurisdiction to hear de facto appeals from state court
4 judgments.”). Lara’s preliminary injunction motion runs into the same *Rooker-Feldman*
5 problem. Lara had the opportunity to contest his eviction in San Diego Superior Court, and
6 he lost. The *Rooker-Feldman* doctrine bars him from seeking relief from that loss in federal
7 court.²

8 “A plaintiff seeking a preliminary injunction must establish that he is likely to succeed
9 on the merits, that he is likely to suffer irreparable harm in the absence of preliminary relief,
10 that the balance of equities tips in his favor, and that an injunction is in the public interest.”
11 *Winter v. Natural Res. Def. Council, Inc.*, 555 U.S. 7, 129 S.Ct. 365, 374 (2008). Having
12 carefully reviewed Lara’s motion and Defendants’ opposition, the Court finds that Lara has
13 failed to establish that his claims are likely to succeed on the merits. His motion for a
14 preliminary injunction is accordingly **DENIED**. At best, Lara can show that if he is evicted
15 from his home he would suffer irreparable harm, but if that alone could justify injunctive relief
16 every distressed homeowner facing foreclosure would be entitled to such relief. There must
17 be some likelihood of success on the merits, and Lara has failed to make that showing.

18 **IT IS SO ORDERED.**

19 DATED: June 4, 2012

20 
21 **HONORABLE LARRY ALAN BURNS**
22 United States District Judge

23 _____
24 ² In opposing Lara’s preliminary injunction motion, Aurora and MERS rely not on
25 *Rooker-Feldman* but on the Anti-Injunction Act, which prohibits a federal court from enjoining
26 “proceedings in a State court except as expressly authorized by Act of Congress, or where
27 necessary in aid of its jurisdiction, or to protect or effectuate its judgments.” 28 U.S.C. §
28 2283. The broad spirit of the Anti-Injunction Act is certainly relevant here—it is “designed
to prevent friction between federal and state courts by barring federal intervention in all but
the narrowest circumstances”—but the Court doesn’t understand the unlawful detainer action
against Lara to be ongoing. *Sandpiper Village Condominium Ass’n, Inc. v. Louisiana-Pacific
Corp.*, 428 F.3d 831, 842 (9th Cir. 2005). Summary judgment was entered against him,
which suggests that *Rooker-Feldman* is the proper doctrine to rely on.