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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
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11 HARESH MIRCHANDANI and
12 INDRA MIRCHANDANI,
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14 Plaintiffs,

14 v.

15 BMO HARRIS BANK, N.A.,
16 successor to M&I MARSHALL &
17 ILSLEY BANK,

18 Defendant.
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Case No. 3:17-cv-02090-BTM-BGS

**ORDER DENYING MOTION FOR
RELIEF FROM JUDGMENT**

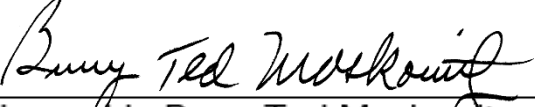
[ECF No. [#20]

20 Before the Court is Plaintiff Hareesh Mirchandani's ("Plaintiff") motion for relief
21 from judgment pursuant to Federal Rule of Civil Procedure Rule 60(b)(6). (ECF
22 No. 20.) Notably, this case was dismissed for lack of subject matter jurisdiction on
23 July 16, 2018 based upon the *Rooker-Feldman* doctrine. (ECF Nos. 17, 18.)
24 Plaintiff did not appeal such dismissal. Because Plaintiff's instant motion fails to
25 demonstrate any extraordinary circumstances which prevented him from pursuing
26 an appeal of such dismissal, he has failed to demonstrate his entitlement to relief
27 under Rule 60(b)(6). See *Martella v. Marine Cooks & Stewards Union, Seafarers*
28 *Int'l Union of N. Am., AFL-CIO*, 448 F.2d 729, 730 (9th Cir. 1971) ("In order to bring

1 himself within the limited area of Rule 60(b)(6) a petitioner is required to establish
2 the existence of extraordinary circumstances which prevented or rendered him
3 unable to prosecute an appeal.” (citing *Klapprott v. United States*, 335 U.S. 601,
4 (1949); and *Ackermann v. United States*, 340 U.S. 193 (1950))). Nor has Plaintiff
5 demonstrated any other basis for relief, let alone that his approximately nineteen-
6 month delay in seeking relief was reasonable. See Fed. R. Civ. P. 60(c)(1).
7 Accordingly, Plaintiff’s motion for relief from judgment (ECF No. 20) is **DENIED**.

8 **IT IS SO ORDERED.**

9 Dated: February 27, 2020

10 
11 Honorable Barry Ted Moskowitz
12 United States District Judge
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