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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

GEORGE EVERETT SMITH, JR.,

Plaintiff,

vs.

NORTH SAN DIEGO COUNTY DEPT. OF
CHILD SUPPORT SERVICES, et al.,

Defendants.

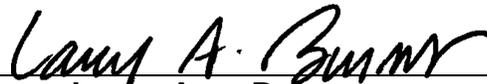
CASE NO. 17cv2100

ORDER OF DISMISSAL

George Smith Jr. attempted to remove an action by Child Support Services after Commissioner Pennie McLaughlin ordered Smith to pay child support. First, removal is improper and this Court lacks original jurisdiction. See 28 U.S.C. §§ 1441, 46. Second, the *Rooker-Feldman* doctrine bars Smith's de facto appeal asking this Court to resolve issues inextricably intertwined with the state court judgment. See, e.g., *Ignacio v. Judges of U.S. Court of Appeals for Ninth Circuit*, 453 F.3d 1160, 1166 (9th Cir. 2006); *Sanders v. Del Fierro*, 2012 WL 2390754, at *4 (S.D. Cal. June 2012). Third, the domestic relations exception bars this action since Smith's underlying contention is that he's not the father and shouldn't have to pay. *Buechold v. Ortiz*, 401 F.2d 371, 372 (9th Cir. 1968). Finally, even if the Court had jurisdiction, defendants are immune. See *Ashelman v. Pope*, 793 F.2d 1072, 1075 (9th Cir. 1986); *Govaerts v. Santa Clara Cty. Dep't of Child Support Servs.*, 2009 WL 890881, at *4 (N.D. Cal. Mar. 31, 2009). The case is **DISMISSED** without leave to amend.

IT IS SO ORDERED.

Dated: December 6, 2017



HONORABLE LARRY ALAN BURNS
United States District Judge