

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

CHRISTOPHER TYRONE THOMAS,

Plaintiff,

v.

Case No. 8:13-cv-1688-T-30EAJ

**MARK R. WOLFE, Judge, and
MARINA RUFFOLO TAYLOR, Esq.,**

Defendants.

ORDER

THIS CAUSE comes before the Court *sua sponte*. Upon the Court's review of the complaint filed in this action, the Court concludes that this action must be dismissed without prejudice.

Plaintiff Christopher Tyrone Thomas is proceeding in this case *pro se*. His complaint, although not a model of clarity, appears to seek damages against Judge Mark R. Wolfe and attorney Marina Ruffolo Taylor based on a divorce or family law proceeding that Judge Wolfe presided over in Florida state court. Thomas' complaint references a final judgment entered in that state-court proceeding and states that the final judgment contains fraud, perjury, and clerical mistakes. Thomas alleges that "there is a disagreement with arrears for child support" and that this issue is still outstanding (Dkt. 1). He also alleges that Judge Wolfe is personally involved in the case. In essence, Thomas' complaint is an appeal of the final judgment entered in the state-court proceeding.

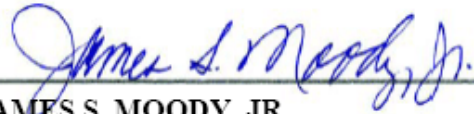
To the extent Thomas is challenging a previous state-court judgment, such a challenge would be barred by the *Rooker-Feldman* doctrine. See *Rooker v. Fidelity Trust Co.*, 263 U.S. 413, 44 S.Ct. 149, 68 L.Ed. 362 (1923), and *District of Columbia Court of Appeals v. Feldman*, 460 U.S. 462, 103 S.Ct. 1303, 75 L.Ed.2d 206 (1983).

Additionally, the complaint does not state the basis for the Court's jurisdiction. It appears on the face of the complaint that this Court does not have federal jurisdiction because Thomas does not allege any claims arising under federal law. Nor does the Court have diversity jurisdiction under the alleged facts. Accordingly, Thomas' complaint must be dismissed for lack of jurisdiction.

It is therefore ORDERED AND ADJUDGED that:

1. The complaint is dismissed without prejudice.
2. The Clerk of Court is directed to close this case and terminate any pending motions as moot.

DONE and **ORDERED** in Tampa, Florida on July 8, 2013.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel/Parties of Record

S:\Even\2013\13-cv-1688.dismiss.frm