UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA
Miami Division

Case Number: 16-20139-CIV-MORENO

ROSARIO ROJO,

Plaintiff,

vs.

WASHINGTON MUTUAL BANK, *et al.*,

Defendants.
_____/

ORDER DISMISSING CASE

THIS CAUSE came before the Court upon a *sua sponte* review of Plaintiff's *In Forma Pauperis* Complaint **(D.E. No. 1)**, filed on **January 11, 2016**.

THE COURT has considered the pertinent portions of the record, and being otherwise fully advised in the premises, it is

ADJUDGED that the complaint is DISMISSED pursuant to the *Rooker-Feldman* doctrine. *Rooker v. Fidelity Trust Co.*, 263 U.S. 413 (1923); *District of Columbia Court of Appeals v. Feldman*, 460 U.S. 462 (1983). The *Rooker-Feldman* doctrine is "confined to cases brought by state-court losers complaining of injuries caused by state-court judgments rendered before the federal district court proceedings commenced and inviting district court review and rejection of those judgments." *Exxon Mobil Corp. v. Saudi Basic Indus. Corp.*, 544 U.S. 280, 283 (2005). In this case, Plaintiff is complaining that Defendants engaged in fraud during the foreclosure action that took place in the Florida Circuit Court for Miami-Dade County, Case No. 07-43855 CA (10). *See Exh. A* (Copy of state court filing indicating case is closed). Plaintiff is also complaining that her credit

was negatively impacted as a result of that proceeding and she seeks to enjoin the foreclosure of her property. Having lost in state court, the Plaintiff cannot come to this Court to seek the relief she was unable to get in that venue. Accordingly, this case is dismissed without prejudice pursuant to the *Rooker-Feldman* doctrine.

Plaintiff additionally maintains that she was the victim of a discriminatory lending practice by Washington Mutual. To that end, Plaintiff has not stated a discernible federal cause of action and accordingly, to the extent that Plaintiff is seeking redress for discrimination, the Court dismisses that claim without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(1).

DONE AND ORDERED in Chambers at Miami, Florida, this 15th day of January, 2016.

FEDERICO A. MORENO
UNITED STATES DISTRICT JUDGE

Copies provided to:

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Counsel of Record