

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

2015 OCT -2 PM 12: 19

JOHN D. BRANTLEY

*

CLERK'S OFFICE
AT BALTIMORE

Plaintiff

*

BY _____ DEPUTY

v

*

Civil Action No. RDB-15-2936

STATE OF MD-BALTIMORE CITY
DISTRICT COURT

*

*

Defendant

MEMORANDUM OPINION

The above-entitled case was filed on September 28, 2015, together with a Motion to Proceed in Forma Pauperis. The motion shall be granted.

The Complaint seeks monetary damages and injunction against the Baltimore City District Court. Plaintiff appears to assert that he has filed several lawsuits in the state court which were dismissed for discriminatory reasons. He does not specify the basis for the alleged discrimination. ECF 1.

The Complaint must be dismissed as it seeks relief which may not be granted. A party aggrieved by a court's decision must resort to the appellate process for review of the decision and may not start litigation anew in this Court. "Under the *Rooker-Feldman*¹ [abstention] doctrine, a party losing in state court is barred from seeking what in substance would be appellate review of the state judgment in a United States district court." *American Reliable Insurance v. Stillwell*, 336 F. 3d 311, 316 (4th Cir. 2003) quoting *Johnson v. De Grandy*, 512 U.S. 997, 1005-06 (1994). The *Rooker-Feldman* doctrine is jurisdictional and, as such, this Court is free to raise it *sua sponte*. *Jordahl v. Democratic Party of Va.*, 122 F.3d 192, 197 n. 5

¹ *District of Columbia Court of Appeals v. Feldman*, 460 U.S. 462, 482,(1983); *Rooker v. Fidelity Trust Co.*, 263 U.S. 413, 416 (1923).

(4th Cir.1997). “[T]he *Rooker-Feldman* doctrine . . . by elevating substance over form, preserves the independence of state courts as well as congressional intent that an appeal from a state court decision must proceed through that state's system of appellate review rather than inferior federal courts.” *Stillwell*, 336 F. 3d at 391. The instant complaint necessarily requires review of the validity of decisions made by the state court and matters which are barred from review by virtue of the doctrine of *res judicata*. In addition, the sole Defendant named is immune from a suit for damages on a claim of this nature.

A separate Order follows.

OCTOBER 3, 2015
Date

Richard D. Bennett
RICHARD D. BENNETT
UNITED STATES DISTRICT JUDGE