

1
2
3
4
5
6
7
8
9

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Paolo Pronesti,

Plaintiff

v.

Department of Family Services, et al.,

Defendants

2:15-cv-01994-JAD-PAL

**Order Adopting Report and
Recommendation and Dismissing and
Closing Case**

[ECF No. 2]

10 Pro se plaintiff Paolo Pronesti sues the Clark County District Attorney's Office, the Clark
11 County Department of Child and Family Services (DFS), and a handful of DFS employees to
12 challenge state-court custody proceedings. Magistrate Judge Peggy Leen granted Pronesti's
13 application to proceed *in forma pauperis* and screened his complaint, and she recommends that I
14 dismiss this case with prejudice for lack of jurisdiction. Pronesti objects.¹ Having reviewed
15 Magistrate Judge Leen's findings and conclusions *de novo*, I agree that this court lacks jurisdiction.
16 As the magistrate judge explained, federal courts do not have appellate jurisdiction over state courts,²
17 nor over child-custody matters.³ Because Pronesti's claims constitute a de facto appeal of the family
18 court's custody determination, I lack jurisdiction over his claims.⁴ Accordingly,

19 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that the magistrate judge's report
20 and recommendation [ECF No. 2] is **ADOPTED, and this case is DISMISSED with prejudice.**

21
22
23
24
25
26
27
28

¹ ECF No. 4.

² ECF No. 3 (citing *Rooker v. Fid Trust Co.*, 263 U.S. 413 (1923); *D.C. Court of Appeals v. Feldman*, 460 U.S. 462, 482–86 (1983)).

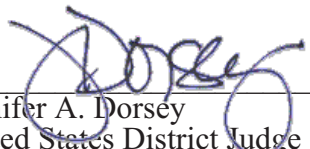
³ *Id.* at 4 (citing *Ankenbrandt v. Richards*, 504 U.S. 689 (1992)).

⁴ I note that Pronesti filed a second-amended complaint after the magistrate judge issued her report and recommendation, but it suffers from the same deficiencies.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

The Clerk of Court is directed to enter judgment for defendants and against Pronesti and
CLOSE THIS CASE.

Dated this 13th day of March, 2017.



Jennifer A. Dorsey
United States District Judge