

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

NORMAN H. LAWTON,

Plaintiff,

v.

STATE OF OHIO SUPREME COURT, et al.,

Defendants.

Case No. 2:13-cv-748

JUDGE GREGORY L. FROST

Magistrate Judge Mark R. Abel

OPINION AND ORDER

This matter is before the Court for consideration of the Magistrate Judge's August 5, 2013 Initial Screening Report and Recommendation. (ECF No. 4.) In that filing, the Magistrate Judge conducted an initial screen of Plaintiff's Complaint under 28 U.S.C. § 1915(e)(2) and recommended that the Court dismiss this action "because plaintiff has already adjudicated the claims pleaded and this court is without jurisdiction to review the adverse state court rulings he seeks to re-litigate here." (ECF No. 4, at Page ID # 512.)

Plaintiff has objected to the Initial Screening Report and Recommendation. (ECF No. 6.) When a party objects within the allotted time to a report and recommendation, the Court "shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1); *see also* Fed. R. Civ. P. 72(b). Upon review, the Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1).

In his objections, Plaintiff essentially argues that the Magistrate Judge's invocation of the *Rooker-Feldman* doctrine is erroneous. In presenting this argument, Plaintiff repeats many of

the allegations of his lengthy pleading and presents analysis that is simply not always clear. What the objections do make clear, however, is that Plaintiff is indeed attempting to invalidate the state court proceedings by recasting state court arguments in the form of a federal due process action. As the Magistrate Judge correctly explained, this is something that the Plaintiff cannot do. Plaintiff's arguments are for the state trial court and the state appellate courts, not for this Court. Plaintiff's objections reject this point and merely reassert the contentions of his pleading.

Having conducted a *de novo* review and after consideration of the Initial Screening Report and Recommendation and the objections, the Court **OVERRULES** Plaintiff's Objections (ECF No. 6), **ADOPTS** the Magistrate Judge's Initial Screening Report and Recommendation (ECF No. 4), and **DISMISSES** Plaintiff's Complaint. The Clerk shall enter judgment accordingly and terminate this case on the docket records of the United States District Court for the Southern District of Ohio, Eastern Division.

IT IS SO ORDERED.

/s/ Gregory L. Frost
GREGORY L. FROST
UNITED STATES DISTRICT JUDGE