

the complaint says, "Plaintiff, John McQueen, requests this honorable court to accept jurisdiction of his appeal from the judgment of the Ohio Supreme Court entered Feb. 10, 2016, under Case No. 2015-1817..."). The background of that case can be found in McQueen v. White, 2015 WL 5703293 (Franklin Co. App. Sept. 29, 2015), appeal not allowed 144 Ohio St.3d 1478 (Feb. 10, 2016). But a United States District Court has no jurisdiction to hear an appeal from a decision of a state court. See Rooker v. Fidelity Trust Co., 263 U.S. 413, 416 (1923) ("The jurisdiction possessed by the District Courts is strictly original") (original in this context means "not appellate"). The only federal court which has appellate jurisdiction to review state court judgments is the United States Supreme Court. As the Supreme Court has said, it "is vested, under 28 U.S.C. §1257, with jurisdiction over appeals from final state-court judgments. We have held that this grant of jurisdiction is exclusive." Lance v. Dennis, 546 U.S. 459, 463 (2006). Nevertheless, this Court cannot make any decision - even a decision that the case cannot proceed and must be dismissed for lack of jurisdiction - until Mr. McQueen either pays the filing fee or asks to be relieved of that obligation because he cannot afford it.

It is therefore ordered that, within thirty days, Mr. McQueen either pay the \$400.00 filing fee or request leave to proceed *in forma pauperis*. He can find an application to proceed without prepayment of fees and affidavit on the Court's website under "Forms." If he does neither, the case will be dismissed for failure to pay the filing fee, although, as noted above, even if he does pay the fee or ask for leave to proceed *in forma pauperis*, the case will likely be dismissed for lack of jurisdiction.

/s/ Terence P. Kemp
United States Magistrate Judge