

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

JOHN BERMAN,

Plaintiff,

Case. No. 6:18-cv-1725-MC

v.

OPINION AND ORDER

CLERK OF CIRCUIT COURT OF  
MULTNOMAH COUNTY OREGON; and  
Does 1-30,

Defendants.

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MCSHANE, Judge:

*Pro se* plaintiff John Berman seeks leave to proceed *in forma pauperis* (IFP). The Court, pursuant to 28 U.S.C. § 1915(e)(2), must screen applications to proceed IFP and dismiss any case that is frivolous or malicious, or fails to state a claim on which relief may be granted.

Berman asks this Court to declare an award of costs imposed against Berman by a Multnomah County Circuit Court judge as excessive, and seeks an injunction ordering the clerk

of court to “delete the assessment of costs against Berman, totaling \$2498.” Compl. 4. Berman’s complaint outlines his appeal of this issue to the Oregon Court of Appeals and the Oregon Supreme Court.

Berman’s complaint is an attempt at an end run around state court proceedings. Berman’s challenge to the costs here, after receiving adverse decisions on the same issue from Oregon state courts, is barred by the *Rooker-Feldman* doctrine. The *Rooker-Feldman* doctrine precludes lower federal courts from hearing claims that collaterally attack prior state court decisions. *See Ignacio v. Judges of U.S. Court of Appeals for the Ninth Circuit*, 453 F.3d 1160, 1165 (9th Cir. 2006); *District of Columbia Court of Appeals v. Feldman*, 460 U.S. 462, 482 & n.16 (1983); *Rooker v. Fidelity Trust Co.*, 263 U.S. 413, 415-16 (1923).

As Berman’s complaint fails to state a claim, it must be dismissed. 28 U.S.C. § 1915(e)(2).

IT IS SO ORDERED.

DATED this 23rd day of October, 2018.

/s/ Michael McShane  
Michael McShane  
United States District Judge