

1 HONORABLE RONALD B. LEIGHTON
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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 MICHAEL J. COLLINS,

12 Plaintiff,

13 v.

14 STATE OF WASHINGTON
15 DEPARTMENT OF LABOR &
INDUSTRIES and DAVID A. IVERSON, et
al,

16 Defendants.

Case No. CV10-5247 RBL

ORDER

17 THIS MATTER comes on before the above-entitled Court upon Plaintiff's Application to Proceed
18 *In Forma Pauperis* and proposed Complaint. Having considered the entirety of the records and file
19 herein, the Court finds and rules as follows:

20 On April 5, 2010 this Court previously denied plaintiff's application and dismissed his complaint
21 without prejudice as to the same defendants and raising the same claims. The complaint was dismissed
22 without prejudice so as to afford plaintiff the opportunity to proceed with his claims to the extent that he
23 may in state court. [See C10-5011RBL]. This Court is without subject matter jurisdiction to afford
24 plaintiff the relief he seeks. *See Rooker v. Fidelity Trust Co.*, 263 U.S. 413, 415-16 (1923); *Dist. of*
25 *Columbia Court of Appeals v. Feldman*, 460 U.S. 462, 486-87 (1983). Plaintiff's new proposed
26 complaint does not cure the problems with this Court's jurisdiction.
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1 Plaintiff's Application to Proceed *In Forma Pauperis* is **DENIED** and his Complaint is
2 **DISMISSED** without prejudice. Plaintiff may not re-file an action in this Court against the named
3 defendants or arising out of the denial of his workers' compensation benefits.

4 **IT IS SO ORDERED.**

5 The Clerk shall send uncertified copies of this order to all counsel of record, and to any party
6 appearing pro se.

7 Dated this 17th day of May, 2010.

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10 RONALD B. LEIGHTON
11 UNITED STATES DISTRICT JUDGE
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