

JAN 24 2008

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

SHAWN KARL MOONEY,

Plaintiff - Appellant,

v.

LOUIS ALEXANDER BOLI, IV, aka
Michael Boli; et al.,

Defendants - Appellees.

No. 07-16229

D.C. No. CV-06-07875-SI

MEMORANDUM*

Appeal from the United States District Court
for the Northern District of California
Susan Yvonne Illston, District Judge, Presiding

Submitted January 14, 2008**

Before: HALL, O'SCANNLAIN, and PAEZ, Circuit Judges.

Shawn Karl Mooney appeals pro se from the district court's judgment dismissing for lack of subject matter jurisdiction his action under 42 U.S.C. § 1983 alleging a conspiracy to violate his due process rights in connection with an action

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

that he brought in state court. We have jurisdiction under 28 U.S.C. § 1291. We review de novo a district court's dismissal based on the *Rooker-Feldman* doctrine. *Noel v. Hall*, 341 F.3d 1148, 1154 (9th Cir. 2003). We affirm.

The district court properly concluded that the *Rooker-Feldman* doctrine barred Mooney's action because it is a "forbidden de facto appeal" of a state court decision, and raises constitutional claims that are "inextricably intertwined" with that prior state court decision. *Id.* at 1158.

Mooney's remaining contentions are unpersuasive.

AFFIRMED.