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Lisa Brown v. Jason Brown

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NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 19-1821

LISA M. BROWN

v.

JASON L. BROWN,
Appellant

On Appeal from the United States District Court
for the Middle District of Pennsylvania
(D.C. Civil Action No. 3-19-cv-00404)
District Judge: Honorable Malachy E. Mannion

Submitted Pursuant to Third Circuit L.A.R. 34.1(a)
August 23, 2019
Before: KRAUSE, SCIRICA and NYGAARD, Circuit Judges

(Opinion filed: August 26, 2019)

OPINION*

PER CURIAM

On March 7, 2019, Jason L. Brown commenced an action in the District Court by

* This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not constitute binding precedent.

filing a “notice of appeal in a civil case.” The matter was referred to a Magistrate Judge who recommended that it be dismissed under the Rooker-Feldman¹ doctrine because Brown was attempting to appeal from a state-court judgment.² The District Court agreed and dismissed the case for lack of jurisdiction. Brown timely appealed.

We exercise de novo review over the question of subject-matter jurisdiction. PennMont Secs. v. Frucher, 586 F.3d 242, 245 (3d Cir. 2009); see also United States v. Apple MacPro Computer, 851 F.3d 238, 244 (3d Cir. 2017). We have jurisdiction under 28 U.S.C. § 1291.

We agree with the District Court that it lacked jurisdiction over Brown’s case. In his brief on appeal, Brown makes clear that he is seeking review of a domestic-relations order entered by the Court of Common Pleas of Schuylkill County.³ As the Magistrate Judge correctly concluded, however, the Rooker-Feldman doctrine strips federal courts of jurisdiction over controversies “that are essentially appeals from state-court judgments.” Great W. Mining & Mineral Co. v. Fox Rothschild LLP, 615 F.3d 159, 165 (3d Cir. 2010); see also Exxon Mobil Corp. v. Saudi Basic Indus. Corp., 544 U.S. 280, 284

¹ See Rooker v. Fid. Tr. Co., 263 U.S. 413 (1923); D.C. Court of Appeals v. Feldman, 460 U.S. 462 (1983).

² Brown did not file objections to the Report and Recommendation pursuant to Rule 72(b)(2) of the Federal Rules of Civil Procedure.

³ Based on the documents that Brown attached to his “notice of appeal in a civil case,” it appears that this judgment was affirmed by the Superior Court of Pennsylvania and that the Supreme Court of Pennsylvania subsequently denied allocatur.

(2005). Amendment would be futile. See Grayson v. Mayview State Hosp., 293 F.3d 103, 108 (3d Cir. 2002).

Accordingly, we will affirm.