



Chmaberlain v. Court of Appeals

2004 | Cited 0 times | Fifth Circuit | June 22, 2004

UNPUBLISHED

Conference Calendar

Margaret Chamberlain appeals the district court's dismissal for lack of subject matter jurisdiction of her 42 U.S.C. § 1983 lawsuit asserting constitutional violations arising out of the way her state-court lawsuit was processed. A district court's dismissal for lack of subject matter jurisdiction is reviewed de novo. See *Williams v. Dallas Area Rapid Transit*, 242 F.3d 315, 318 (5th Cir. 2001).

Chamberlain renews her argument that the district court had jurisdiction to review her claims of constitutional deprivations under 28 U.S.C. § 1331, under the Fifth, Seventh, and Fourteenth Amendments, and under 42 U.S.C. § 1983. She also contends that the district court had jurisdiction under FED. R. CIV. P. 60(b) because the state-court judgment was void. This court will not consider this newly raised argument. See *Stewart Glass & Mirror, Inc. v. U.S. Auto Glass Discount Centers, Inc.*, 200 F.3d 307, 316-17 (5th Cir. 2000).

Chamberlain's complaint is inextricably intertwined with the merits of her state-court suit, and examination of her claims of constitutional deprivations would require the district court to examine the validity of the state courts' rulings. Accordingly, the complaint was properly dismissed for lack of subject matter jurisdiction. See *District of Columbia Court of Appeals v. Feldman*, 460 U.S. 462, 476, 482 (1983); *Rooker v. Fidelity Trust Co.*, 263 U.S. 413, 415 (1923); see also *United States v. Shepherd*, 23 F.3d 923, 924 (5th Cir. 1994). The district court's judgment is **AFFIRMED**.

1. Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

