

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 17-13344
Non-Argument Calendar

D.C. Docket No. 1:16-cv-03292-AT

CAROLYN HENDERSON,
ERNEST HENDERSON, JR.,

Plaintiffs-Appellants,

versus

HENRY COUNTY, GEORGIA,
JUDGE KELLY S. POWELL,
in her official capacity,
MICHAEL A. O'QUINN,
individually and in his official capacity as Henry County Administrator,
O'QUINN & CRONIN, LLC,

Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of Georgia

(May 1, 2018)

Before TJOFLAT, WILLIAM PRYOR and NEWSOM, Circuit Judges.

PER CURIAM:

Carolyn Henderson and Ernest Henderson Jr. appeal *pro se* the dismissal of their complaint of the violation of their civil rights by Henry County, Georgia; Probate Judge Kelly S. Powell; the executor for Carolyn's mother's estate, Michael A. O'Quinn; and the law firm O'Quinn & Cronin, LLC. *See* 42 U.S.C. § 1983. The Hendersons complained about the violation of their rights to due process under the Fourteenth Amendment, *see* U.S. Const. Amend. XIV, in relation to the annulment of a will executed by Carolyn's mother. The district court ruled that it lacked subject matter jurisdiction based on the *Rooker–Feldman* doctrine to review the Hendersons' claim about being denied due process during the probate proceeding. We affirm.

The Hendersons alleged in their complaint that Carolyn's mother, Annie Key, "specifically bequeathed her home . . . and two acres to . . . Carolyn . . . as a Life Estate" and that Carolyn's brother, Larry Key, who was appointed executor of the estate, "assented to the Life Estate in favor of Carolyn." According to the Hendersons, Larry's assent "vested" Carolyn's rights in the "life estate" and divested "the probate court . . . [of] jurisdiction and standing to the property matters," which "should have ended the courts and administrator's role" in the estate, but Judge Powell "removed [Carolyn's brother] as the executor," appointed

O’Quinn in his stead, and “voided . . . Carolyn Henderson’s vested Life Estate interest in the property” In addition, the Hendersons alleged that O’Quinn petitioned the state court to consider the will without standing to do so and “used his position as Administrator, his law firm and the judicial process” to “void[]” and “to wrongly divest . . . Carolyn Henderson of her life estate” and to “wrongfully void[] [Ernest Henderson’s] 10-year Residential Lease Contract to the property[.]”

We review the dismissal of the Hendersons’ complaint *de novo*. See *SFM Holdings, Ltd. v. Banc of Am. Sec., LLC*, 600 F.3d 1334, 1336 (11th Cir. 2010).

The district court lacked jurisdiction to adjudicate the Hendersons’ claim that they were denied due process by Henry County, Judge Powell, O’Quinn, and O’Quinn’s law firm. Under the *Rooker–Feldman* doctrine, a district court lacks subject matter jurisdiction to review the final judgment of a state court. See *Rooker v. Fidelity Trust Co.*, 263 U.S. 413, 415–16 (1923); *D.C. Court of Appeals v. Feldman*, 460 U.S. 462, 476–82 (1983). And the doctrine applies to “federal claims . . . [that are] inextricably intertwined with the state court’s judgment.” *Casale v. Tillman*, 558 F.3d 1258, 1260 (11th Cir. 2009). The Hendersons’ claim that they were denied due process during the probate proceedings is “inextricably intertwined” with the judgment that annulled the will because success “would effectively nullify [that] state-court judgment” or reveal “that the state court wrongly decided the issues” related to the will. See *id.* That judgment became final

after the Hendersons declined to appeal the order that annulled the will. *See* Ga. Code Ann. § 5-6-34. The *Rooker-Feldman* doctrine barred the district court from reviewing the final judgment of the state court.

The Hendersons do not contest the decision by the district court not to exercise its supplemental jurisdiction over their state claim of conversion after dismissing the federal claims over which it had original jurisdiction. *See* 28 U.S.C. § 1367(c)(3). We deem abandoned any challenge that they could have made to the dismissal without prejudice of their state claim. *See Timson v. Sampson*, 518 F.3d 870, 874 (11th Cir. 2008).

We **AFFIRM** the dismissal of the Hendersons' complaint.