

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 05-1004

Larry Kenneth Alexander,

Appellant,

v.

DaimlerChrysler Services North
America, L.L.C., a Michigan limited
liability company f/k/a Chrysler
Financial Corporation f/k/a
Chrysler Financial Company, L.L.C.;
Robert Fletcher, in his official capacity
as the Ramsey County Sheriff,

Appellees.

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Appeal from the United States
District Court for the
District of Minnesota.

[UNPUBLISHED]

Submitted: March 7, 2006
Filed: April 3, 2006

Before MURPHY, HANSEN, and COLLOTON, Circuit Judges.

PER CURIAM.

Larry K. Alexander appeals the district court's¹ Federal Rule of Civil Procedure 12(b)(1) dismissal of his federal action challenging a state foreclosure action. We affirm.

We review de novo a dismissal for lack of subject matter jurisdiction. See Mosby v. Ligon, 418 F.3d 927, 931 (8th Cir. 2005). We agree with the district court that Alexander's claims were barred by the Rooker-Feldman² doctrine because they either had been resolved by the state courts before Alexander brought the instant action or Alexander could have raised them in the state courts. See Exxon Mobil Corp. v. Saudi Basic Indus. Corp., 125 S. Ct. 1517, 1521-22 (2005) (Rooker-Feldman doctrine bars cases brought by state-court losers who complain of injuries by state-court judgments rendered before district court proceedings commenced and invite district court to review and reject those judgments); Mosby, 418 F.3d at 932 (where plaintiff failed to raise, but could have raised, constitutional claims before state court, district court lacked jurisdiction under Rooker-Feldman doctrine to consider them).

Further, we find the district court did not abuse its discretion in setting aside an entry of default, see Johnson v. Dayton Elec. Mfg. Co., 140 F.3d 781, 783-85 (8th Cir. 1998); or in forbidding Alexander from bringing another action about the subject property without leave of court, see In re Nat'l Warranty Ins. Risk Retention Group, 384 F.3d 959, 962 (8th Cir. 2004).

Accordingly, we affirm the judgment of the district court. We deny Alexander's motion to file a supplemental memorandum.

¹The Honorable Donovan W. Frank, United States District Judge for the District of Minnesota, adopting the report and recommendations of the Honorable Susan R. Nelson, United States Magistrate Judge for the District of Minnesota.

²Rooker v. Fid. Trust Co., 263 U.S. 413 (1923); D.C. Court of Appeals v. Feldman, 460 U.S. 462 (1983).