

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

GALT VENTURES, INC. d/b/a
SPEEDY CASH #51,

Plaintiff,

v.

Case No. 17-1205-JTM-GEB

MARQUES NOLAN-BEY,
a.k.a. MARQUES NOLAN,

Defendant.

**MEMORANDUM AND ORDER ADOPTING MAGISTRATE JUDGE'S REPORT
AND RECOMMENDATION**

This matter comes before the court on the Magistrate Judge's Report and Recommendation ("R&R"), filed September 25, 2017 (Dkt. 6), recommending that the court dismiss defendant's claims for lack of subject matter jurisdiction pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 12(h)(3). The Magistrate Judge notified defendant of his ability to file objections within 14 days after being served with a copy of the R&R. On November 3, 2017, defendant filed a document titled Affidavit Summary Judgment (Dkt. 7).

Having reviewed the R&R and defendant's affidavit, the court finds that the Magistrate Judge fully and accurately considered defendant's claims and governing legal authority. The court agrees that the *Rooker-Feldman* doctrine deprives the court of jurisdiction to overturn the state court's judgment. See *D.C. Cir. v. Feldman*, 460 U.S. 462, 476 (1983); *Rooker v. Fid. Trust Co.*, 263 U.S. 413, 415-16 (1923). The *Rooker-Feldman*

doctrine bars “a party losing in state court . . . from seeking what in substance would be appellate review of the state judgment in a United States [trial] court.” *Johnson v. De Grandy*, 512 U.S. 997, 1005–06 (1994). The court adopts the R&R and dismisses this action for lack of subject matter jurisdiction pursuant to Fed. R. Civ. P. 12(h)(3).

IT IS THEREFORE ORDERED this 21st day of November, 2017, that defendant’s claims, along with this case, are dismissed without prejudice.

s/ J. Thomas Marten
J. Thomas Marten, Judge