IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 93-1847
Conference Calendar

SEBHATE KRASNIQI,

Plaintiff-Appellant,

versus

CRAIG T. ENOCH, In His Official Capacity Only as Justice of the Fifth District Court of Appeals at Dallas, TX, ET AL.,

Defendants,

CRAIG T. ENOCH, In His Official Capacity Only as Justice of the Fifth District Court of Appeals at Dallas, TX, ET AL.,

Defendants-Appellees.

- - - - - - - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:93-CV-1485-P
- - - - - - - - - -
(May 18, 1994)

Before HIGGINBOTHAM, BARKSDALE, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:*

Mrs. Sebhate Krasniqi argues that the district court erred in concluding it lacked jurisdiction under the Rooker-Feldman

---

* Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

doctrine because she alleged sufficient facts and pleadings to establish a prima facie case that Rule 54 was unconstitutional as applied in termination of parental rights cases; alternatively, Mrs. Krasniqi contends that if her cause of action violates the Rooker-Feldman doctrine, it should be modified or abolished if it works to limit or defeat a legitimate attack on the constitutionality of a state rule or statute.

Pursuant to the rule established in Rooker v. Fidelity Trust Co., 263 U.S. 413, 416, 44 S.Ct. 149, 68 L.Ed. 362 (1923), no court of the United States other than the Supreme Court may "entertain a proceeding to reverse or modify" a final state-court judgment because the jurisdiction of the district courts is strictly original and review of such determinations would constitute an exercise of appellate jurisdiction. District of Columbia Court of Appeals v. Feldman, 460 U.S. 462, 482-87, 103 S.Ct. 1303, 75 L.Ed.2d 206 (1983), recognized an exception to that rule, a general challenge to the constitutionality of a state statute. The Feldman exception does not apply, however, when the constitutional claim was raised and decided in the state court, such claim being "inextricably intertwined" with the state-court judgment. Id. at 483-84 n.16. The Feldman Court noted the competence of state courts to adjudicate federal constitutional issues and that "one of the policies underlying the requirement that constitutional claims be raised in state court as a predicate to our certiorari jurisdiction is the desirability of giving the state court the first opportunity to

consider a state statute or rule in light of federal constitutional arguments." Id. (Internal citations omitted).

This Court has consistently followed the Rooker-Feldman doctrine. See Chrissy F. by Medley v. Mississippi Dept. of Public Welfare, 995 F. 2d 595, 597, 599 (5th Cir. 1993) (complaint alleging "various violations of a vast array of constitutional and statutory rights and privileges" nothing more than a "patent[] attempt to collaterally attack the validity of the state court judgment"), cert. denied, 1993 WL 487506 (U.S. Mar. 21, 1994) (No. 93-754); see also Howell v. Supreme Court of Texas, 885 F.2d 308 (5th Cir. 1989) (due process challenge raised and resolved by state supreme court may not be reasserted in collateral proceeding in federal district court), cert. denied, 496 U.S. 936 (1990).

Mrs. Krasniqi does not dispute that the original complaint asks only for the reversal of the state court judgment; nor does she address the fact that her general challenge to Rule 54, stated in her motion to amend, was not presented to the district court in a proposed amended complaint. Moreover, each of the due process arguments she made in the district court had been argued to, and rejected by, the Texas Fifth Court of Appeals. See Krasniqi v. Dallas County Child Protective Services Unit of Texas Dept. of Human Services, 809 S.W.2d 927, 931-33 (Tex. Ct. App. 1991), cert. denied, 112 S.Ct. 1763 and 112 S.Ct. 2274 (1992). Accordingly, even if Mrs. Krasniqi's contentions were liberally construed as general constitutional challenges, once decided by the Texas court, such issues became "inextricably intertwined"

with that state court judgment, leaving the district court with no authority to consider them.

Mrs. Krasniqi also requests this Court to abolish or modify the Rooker-Feldman doctrine. This argument is facially frivolous because it asks this Court to overrule the Supreme Court.

AFFIRMED.