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Appendix A

[Filed: Mar. 20, 2026]

NOT FOR PUBLICATION

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

JOHN TORSTEN LOOP, Plaintiff - Appellant, v. STATE OF WASHING- TON; JAMS MEDIATION ARBITRATION AND ADR SERVICES; HELEN L. HALPERT, Honorable (Retired), JAMS Arbitra- tor; BOB FERGUSON, Washington State Attor- ney General, Defendants - Appellees.	No. 24-5020 D. C. No. 2:24-cv- 00669-KKE MEMORANDUM*
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Appeal from the United States District Court
for the Western District of Washington
Kymberly K. Evanson, District Judge, Presiding

Submitted March 16, 2026**

Before: SILVERMAN, NGUYEN, and HURWITZ,
Circuit Judges.

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

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John Torsten Loop appeals *pro se* from the district court's judgment dismissing Loop's action alleging constitutional claims arising from state court proceedings confirming an arbitration order. We have jurisdiction under 28 U. S. C. §1291. We review *de novo* a dismissal under Fed. R. Civ. P. 12(b)(1) for lack of subject matter jurisdiction under the *Rooker-Feldman* doctrine. *Noel v. Hall*, 341 F.3d 1148, 1154 (9th Cir. 2003). We affirm.

The district court properly dismissed Loop's action for lack of subject matter jurisdiction under the *Rooker-Feldman* doctrine because Loop's claims are a "de facto appeal" of a prior state court judgment or are "inextricably intertwined" with that judgment. See *id.* at 1163 (explaining that an action "is a forbidden de facto appeal under *Rooker-Feldman* when the plaintiff in federal district court complains of a legal wrong allegedly committed by the state court, and seeks relief from the judgment of that court"); see also *Cooper v. Ramos*, 704 F.3d 772, 782 (9th Cir. 2012) (explaining that claims are "inextricably intertwined" with state court decisions where federal adjudication "would impermissibly undercut the state ruling on the same issues" (citation and internal quotation marks omitted)).

We do not consider matters not specifically and distinctly raised and argued in the opening brief, or arguments and allegations raised for the first time on appeal. See *Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009).

All pending motions and requests are denied.

AFFIRMED.

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Appendix B

[Filed: Aug. 8, 2024]

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOHN TORSTEN LOOP,
Plaintiff(s),

v.

STATE OF WASHINGTON,
et al.,

Defendant(s).

CASE NO. C24-
0669-KKE

ORDER GRANTING
MOTIONS TO DIS-
MISS

Plaintiff John Torsten Loop and his wife agreed to arbitrate the dissolution of their marriage, and Defendant Helen Halpert, a retired King County Superior Court judge now employed as an arbitrator with Defendant JAMS Mediation, Arbitration and ADR Services ("JAMS"), conducted arbitration proceedings in April and May 2023. *See* Dkt. No. 6-5, Dkt. No. 18-1.¹ Halpert's June 2023 arbitration award included a restraining order against Loop, requiring him to avoid contact with his ex-wife and minor daughter until September 1, 2025. *See* Dkt. No. 18-1 at 61-65. The restraining order was approved and entered by a King County Superior Court judge, over Loop's objection. *See* Dkt. Nos. 6-1, 6-3.

Loop, proceeding *pro se*, then filed this lawsuit against Halpert, JAMS, the State of Washington, and

¹ Defendants' unopposed request for judicial notice of documents filed in the underlying state court action is granted. Dkt. No. 18.

Washington's Attorney General Bob Ferguson in his official capacity, alleging that Loop's constitutional rights were violated as a result of the restraining order. See Dkt. No. 6. Defendants have moved to dismiss Loop's complaint on multiple grounds, including lack of subject matter jurisdiction and failure to state a claim. Dkt. Nos. 16, 26. Because the Court agrees with Defendants that Loop's claims fail on multiple grounds, the Court will grant Defendants' motions to dismiss Loop's complaint.

I. BACKGROUND & ANALYSIS

Loop's operative complaint alleges that the restraining order violates his constitutional rights to due process and equal protection. Dkt. No. 6 at 5. According to Loop, Halpert exceeded her authority in including a restraining order of more than one year's duration in her arbitration award, and the King County Superior Court erred in entering it without fully considering Loop's objections and challenges. *Id.* at 10-11. Loop also alleges that Defendants' "actions disproportionately affected his parental rights without a just basis, treating him differently than other citizens without proper justification." *Id.* at 14.

Loop appealed the restraining order to the Washington State Court of Appeals (Dkt. No. 6-8), and filed this separate federal action also related to the entry of the restraining order. Dkt. No. 1. Halpert and JAMS timely filed a motion to dismiss, as did Ferguson and the State of Washington. Dkt. Nos. 16, 26. Both motions to dismiss assert that the Court lacks subject matter jurisdiction over Loop's claims under the *Rooker-Feldman* doctrine, and that Loop's claims fail for other reasons as well. *Id.* Loop opposed

both motions to dismiss, characterizing his briefs as cross-motions. Dkt. Nos. 19, 29. The Court now turns to consider the merits of Defendants' motions to dismiss.

A. Legal Standards

A complaint may be dismissed under Federal Rule of Civil Procedure 12(b)(1) if "the allegations contained in a complaint are insufficient on their face to invoke federal jurisdiction." *Safe Air for Everyone v. Meyer*, 373 F. 3d 1035, 1039 (9th Cir. 2004).

The *Rooker-Feldman* doctrine "stands for the relatively straightforward principle that federal district courts do not have jurisdiction to hear de facto appeals from state court judgments." *Carmona v. Carmona*, 603 F. 3d 1041, 1050 (9th Cir. 2010). The Ninth Circuit has explained how to determine whether a federal action constitutes a "de facto appeal" barred under the *Rooker-Feldman* doctrine:

A suit brought in federal district court is a "de facto appeal" forbidden by *Rooker-Feldman* when "a federal plaintiff asserts as a legal wrong an allegedly erroneous decision by a state court, and seeks relief from a state court judgment based on that decision." In contrast, if a plaintiff "asserts as a legal wrong an allegedly illegal act or omission by an adverse party, *Rooker-Feldman* does not bar jurisdiction."

Id. (quoting *Noel v. Hall*, 341 F. 3d 1148, 1164 (9th Cir. 2003)). The *Rooker-Feldman* doctrine applies even where a federal complaint challenges a state court decision based on federal constitutional grounds, and where the state court decision is

interlocutory rather than final. See *Benavidez v. Cnty. of San Diego*, 993 F.3d 1134, 1142–43 (9th Cir. 2021). Where federal constitutional claims are “inextricably intertwined” with a state court decision because the relief requested in the federal suit “would effectively reverse the state court decision or void its ruling[,]” then the federal suit is barred under the *Rooker-Feldman* doctrine. *Hooper v. Brnovich*, 56 F.4th 619, 624–25 (9th Cir. 2022) (quoting *Cooper v. Ramos*, 704 F.3d 772, 778, 779 (9th Cir. 2012)).

B. Loop’s Claims Are Barred by the *Rooker-Feldman* Doctrine.

Loop’s operative complaint explicitly characterizes this action as an appeal of a state court decision. See, e.g., Dkt. No. 6 at 6 (“Mr. Loop is appealing to the US District Court to review the Washington State decision that affirmed an arbitration award issued without a proper *de novo* hearing.”). As such, and while emphasizing that Loop is simultaneously pursuing a direct appeal of the restraining order in the Washington State Court of Appeals (see Dkt. No. 6–8 (Loop’s opening Division One brief attached to his operative complaint)), the Defendants contend that the federal action is prohibited under the *Rooker-Feldman* doctrine. Dkt. No. 16 at 4, Dkt. No. 26 at 4–6.

Loop addresses the *Rooker-Feldman* doctrine in his opposition briefs, but his arguments only reinforce that the doctrine prohibits this action. For example, Loop concedes that this action “constitutes parallel litigation” to his direct appeal in state court. Dkt. No. 29 at 3. Loop argues that this parallel litigation is not prohibited by the *Rooker-Feldman* doctrine because the restraining order is consistent with state

law, but violates the federal constitution, and therefore he invokes this Court's federal question jurisdiction. *Id.* at 3-4, Dkt. No. 19 at 1. The Ninth Circuit has rejected this contention, however. See *Benavidez*, 993 F. 3d at 1142-43. Even "where the challenge to the state court decision involves federal constitutional issues[.]" federal district courts "must decline jurisdiction whenever they are 'in essence being called upon to review the state court decision.'" *Doe & Assocs. Law Offs. v. Napolitano*, 252 F. 3d 1026, 1029, 1030 (9th Cir. 2001) (quoting *D. C. Ct. of App. v. Feldman*, 460 U.S. 462, 482 n.16 (1983)).

The Court is persuaded that Loop's complaint invites it to review a state court decision: one of Loop's opposition briefs explicitly frames the issues before the Court as assignments of error in the state court's decision (Dkt. No. 19 at 3-4), and the primary relief Loop seeks is an injunction preventing enforcement of the restraining order and a declaration that the restraining order is unconstitutional (Dkt. No. 6 at 14). This action constitutes a de facto appeal of a state court decision, alleging constitutional claims that are inextricably intertwined with the state court decision. As such, this action is prohibited under the *Rooker-Feldman* doctrine and must be dismissed.

As outlined by Defendants, Loop's claims fail for other reasons as well. Ferguson and Washington State (to the extent that Loop intends to hold them liable for the actions of the King County Superior Court judge who entered the restraining order) have absolute immunity for any damages sought arising from an allegedly erroneous King County Superior Court decision. See *In re Castillo*, 297 F. 3d 940, 947 (9th Cir. 2002) ("[A]bsolute immunity insulates judges

from charges of erroneous acts or irregular action, even when it is alleged that such action was driven by malicious or corrupt motives, or when the exercise of judicial authority is flawed by the commission of grave procedural errors.” (cleaned up)). Similarly, Halpert/JAMS enjoy arbitral immunity for claims arising out of any decisional act. *See Sacks v. Dietrich*, 663 F. 3d 1065, 1070 (9th Cir. 2011) (explaining that arbitral immunity is available if a “claim, ‘regardless of its nominal title, effectively seek[s] to challenge the decisional act of an arbitrator or arbitration panel ...’” (quoting *Pfannenstiel v. Merrill Lynch, Pierce, Fenner & Smith*, 477 F. 3d 1155, 1159 (10th Cir. 2007))).

Because Defendants are immune from civil liability for any acts of a judicial nature or based on an arbitral decision, and the claims Loop raises are entirely based on judicial actions or arbitral decisionmaking, Loop has failed to state a valid claim against Defendants. This is another basis for dismissing Loop’s complaint. *See, e. g., Balistreri v. Pacifica Police Dep’t*, 901 F. 2d 696, 699 (9th Cir. 1988) (explaining that claims may be dismissed under Federal Rule of Civil Procedure 12(b)(6) if they lack a “cognizable legal theory”).

These fundamental deficiencies in Loop’s complaint cannot be cured via amendment of the complaint, and therefore the complaint shall be dismissed with prejudice. *See, e. g., Cooper*, 704 F. 3d at 783 (“Dismissal of a complaint without leave to amend is proper where it is clear that the complaint could not be saved by amendment.”).

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II. CONCLUSION

Because this Court lacks subject matter jurisdiction over this action, and because Plaintiff has failed to state a valid claim against Defendants, the Court GRANTS Defendants' motions to dismiss. Dkt. Nos. 16, 26. Plaintiff's cross-motions and motion for discovery are DENIED as moot. Dkt. Nos. 19, 29, 32. Plaintiff's complaint is DISMISSED with prejudice.

Dated this 8th day of August, 2024.

/s/ Kimberly K. Evanson
Kimberly K. Evanson
United States District Judge

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Appendix C

[Filed: Feb. 23, 2024]

**SUPERIOR COURT OF WASHINGTON FOR
KING COUNTY**

In re the Marriage of:	NO. 21-3-00225-1 SEA
JOHN TORSTEN LOOP	RESTRAINING OR- DER
PETITIONER	☒ Final (RSTO)
AND	Clerk's action required: 6, 7
LISA MICHELE LOOP	Surrender Weapons Or- dered: ☒ yes ☐ no
RESPONDENT	

Restraining Order

This order replaces all earlier Restraining Orders with the same Restrained Person, issued under this case number.

1. This Order restrains (name):

JOHN "JACK" TORSTEN LOOP

Restrained Party's distinguishing features:

Sex	Race	Hair
MALE	CAUCASIAN	Silver
Height: 6'4"	Weight: 250	Eyes: Blues

Caution: Access to weapons: ☐ yes ☐ no ☒ unknown

2. This Order protects (name/s): LISA
MICHELE LOOP

and the following children, who are under
18 (if any)

Child's name	Age
1. [Redaction added]	16

3. To the Restrained Person listed in 1:

This Order starts immediately, and ends in 12 months or on (date): <i>September 1, 2025.</i>

Warning! You must obey this order. Violation of this order with actual notice of its terms is a **criminal offense** under Chapter 7.105 RCW and will subject the violator to arrest (RCW 7.105.450). This order is enforceable in all 50 U.S. states, the District of Columbia, and U.S. territories and tribal lands (18 U.S.C. §2265).

4. Findings

Authority: The court has jurisdiction over the parties, the child/ren listed in 2, and the subject matter.

Notice: The Restrained Person had reasonable notice and an opportunity to be heard. They were notified of the hearing by ☐ personal service ☐ service by mail allowed by the court ☐ service by publication allowed by the court.

☐ The Restrained Person was present at the hearing.

☐ The Restrained Person was not present at the hearing.

☐ The Restrained Person had actual notice of the hearing.

☒ *other (specify):* THIS ORDER IS ENTERED PURSUANT TO AN ARBITRATION RULING BY HON. HELEN HALPERT (RET.).

☒ **Credible Threat:** The Restrained Person represents a credible threat to the physical safety of the Protected Persons.

☒ **Intimate Partner:** The Restrained Person and the Protected Person are/were intimate partners because they are (check all that apply):

☒ current or former spouses or domestic partners

☒ parents of a child-in-common (unless a child was conceived through sexual assault).

5. Court Orders to the Restrained Person listed in 1:

Warning! You must obey this order until it ends. If you know about this order but do not obey, you may be arrested and charged with a crime.

☒ **Do not disturb**

Do not disturb the peace of the Protected Person or of any child listed in 2.

☒ **Stay away**

Do not go onto the grounds of or enter the Protected Person's home, workplace, vehicle, or school, or the daycare or school of any child listed in 2.

☒ Do not knowingly go or stay within 1000 feet of the Protected Person's home, vehicle,

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workplace, school, or the daycare or school of any child listed in 2.

☒ **Do not hurt or threaten**

Warning! *If the court checks this box, the court must consider if weapons restrictions are required by state law; federal law may also prohibit the Restrained Person from possessing firearms or ammunition.*

Do not:

- Assault, harass, stalk, or molest the Protected Person or any child listed in 2; or
- Use, try to use, or threaten to use physical force against the Protected Person or children that would reasonably be expected to cause bodily injury.

☒ **Prohibit weapons and order surrender (separate order required)**

The Restrained Person must:

- Immediately surrender to law enforcement and not access, possess, have in their custody or control, purchase, receive, or attempt to purchase or receive firearms, other dangerous weapons, or concealed pistol licenses; and
- *Comply with the Order to Surrender and Prohibit Weapons (form WS 001) filed separately.*

Findings – The court (check all that apply):

☒ **must issue the orders referred to above because:**

- ☒ the court ordered the do not hurt or threaten restraints above and the court finds that the restrained person had actual

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notice and an opportunity to participate.

AND:

- the restrained person represents a credible threat to the physical safety of a protected person, OR
- This order explicitly prohibits the use, attempted use, or threatened use of physical force against any protected person.

Therefore, the weapons restrictions are required by state law. RCW 9.41.800(2).

☐ the court finds by a preponderance of the evidence that the restrained person:

- ☐ has used, displayed, or threatened to use a firearm or other dangerous weapon in a felony; or
- ☐ is ineligible to possess a firearm under RCW 9.41.040.

☐ may issue the orders referred to above because the court finds by a preponderance of evidence that the Restrained Person presents a serious and imminent threat to public health or safety, or the health or safety of any individual by possessing a firearm or other dangerous weapon.

☐ Other restraining orders:

6. Washington Crime Information Center (WACIC) and Other Data Entry

Clerk's Action. The court clerk shall forward a copy of this order immediately to the following

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law enforcement agency (county or city) KING COUNTY

(check only one): ☒ Sheriff's Office or ☐ Police Department

(List the same agency that entered the temporary order, if any)

This agency shall enter this order into WACIC and National Crime Info. Center (NCIC).

7. Service

☐ **Required. The Restrained Person must be served with a copy of this order.**

Important! The Protected Person has a right to have law enforcement serve this order free of charge if the "Do not disturb," "Stay away," "Do not hurt or threaten," or "Prohibit weapons and order surrender" boxes are checked above.

☐ The law enforcement agency where the Restrained Person lives or can be served shall serve the Restrained Person with a copy of this order and shall promptly complete and return proof of service to this court.

Law enforcement agency: (county or city)

(check only one): ☐ Sheriff's Office or ☐ Police Department

☐ **The Protected Person shall make private arrangements for service.**

(This is only an option if surrender of weapons is not ordered)

After serving, the server fills out a *Proof of Personal Service* (form FL All Family 101) and gives it to you. File the original *Proof of Personal Service* with the

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court clerk, and give a copy to the law enforcement agency listed in section 6 above.

Clerk's Action. The court clerk shall forward a copy of this order on or before the next judicial day to the agency and/or person checked above. The court clerk shall also provide a copy to the Protected Person.

☒ **Not required. The Restrained Person does not have to be served because the Restrained Person or their lawyer signed this order, or was at the hearing when this order was made and the court finds sufficient notice.**

Ordered.

02/23/2024 11:53 /s/ Jason Holloway
Date Judge or Commissioner
Time

Petitioner and Respondent or their lawyers fill out below.

This order (check any that apply):

☐ is an agreement of the parties

☐ is presented by me

☐ may be signed by the court without notice to me

[Handwritten: Appear by Zoom and shall be provided an atty.]

~~Robert Parker~~, /s/ John Loop

Attorney for Petitioner

This order (check any that apply):

☐ is an agreement of the parties

☐ is presented by me

☐ may be signed by the court without notice to me

/s/ Elizabeth A. Bianchi

Elizabeth A. Bianchi

WSBA No. 35823

Attorney for Respondent

Important! Protected Person: you must fill out a *Law Enforcement and Confidential Information* form, PO 003, and give it to the court clerk.

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Appendix D

[Filed: Jun. 30, 2026]

NOT FOR PUBLICATION

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

JOHN TORSTEN LOOP, Plaintiff - Appellant, v. STATE OF WASHING- TON; et al., Defendants - Appellees.	No. 24-5020 D. C. No. 2:24-cv- 00669-KKE Western District of Washington, Seattle ORDER
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Before: SILVERMAN, NGUYEN, and HURWITZ,
Circuit Judges.

The panel has voted to deny the petition for panel rehearing.

The full court has been advised of the petition for rehearing en banc and no judge has requested a vote on whether to rehear the matter en banc. See Fed. R. App. P. 40.

The petition for panel rehearing and petition for rehearing en banc (Docket Entry No. 28) are denied.

This court will not entertain further filings in this closed case.