

Refusal to Interfere with State Court Litigation Over Control of a Minor Party

Essenberg v. Berman

(Thomas J. McAvoy, N.D.N.Y. 1:00-cv-317)

Supporters of Donald Trump filed a federal complaint in the Northern District of New York on February 22, 2000, seeking an order placing Trump on the Independence Party ballot for the March 7 primary election.¹

The Independence Party, the name for the Reform Party in New York, was experiencing internal conflict between supporters of Trump and supporters of Pat Buchanan.²

Judge Thomas J. McAvoy dismissed the complaint on March 2.³ Under the *Rooker-Feldman* doctrine, among federal courts only the Supreme Court has appellate jurisdiction over state court proceedings.⁴

The court of appeals dismissed the appeal, which was filed on April 10, 2000, as moot.⁵

1. Docket Sheet, *Essenberg v. Berman*, No. 1:00-cv-317 (N.D.N.Y. Feb. 22, 2000) [hereinafter N.D.N.Y. Docket Sheet] (D.E. 1); see Appellant Brief at 2–4, *Essenberg v. Berman*, No. 00-7406 (2d Cir. May 31, 2000), available at [2000 WL 33983234](#). But see Frank Bruni, *McCain, Bush Renew Assaults*, Albany Times Union, Feb. 14, 2000, at A1 (reporting that Trump decided against running for President in 2000); Donald J. Trump, Op-Ed, *What I Saw at the Revolution*, N.Y. Times, Feb. 19, 2000, at A15 (“I . . . saw the underside of the Reform Party.”).

2. See Eric Herman, *Rumblings in Reform Party*, N.Y. Daily News, Jan. 30, 2000, at 55.

3. N.D.N.Y. Docket Sheet, *supra* note 1 (D.E. 11); see Appellant Brief, *supra* note 1, at 2–3 (identifying the *Rooker-Feldman* doctrine as an issue on appeal).

4. *District of Columbia Court of Appeals v. Feldman*, 460 U.S. 462 (1983); *Rooker v. Fidelity Trust Co.*, 263 U.S. 413 (1923); see Martin A. Schwartz, *Section 1983 Litigation* 21–24 (Federal Judicial Center 3d ed. 2014).

5. *Essenberg v. Berman*, 234 F.3d 1261 (2d Cir. 2000) (table), *summary order available at* 2000 WL 1551278.