



# Rooker Feldman

(1923–2006)

*Samuel Bray*

**F**EBRUARY 22, 2006 – Rooker Feldman, the legal personality, died yesterday at his home in Washington, D.C.<sup>1</sup> He was 83.

Feldman was born in Washington on February 19, 1923.<sup>2</sup> Even his friends knew little about his family or early life. He lived as a recluse until he was sixty, visiting a courthouse or a law review office on rare occasions.<sup>3</sup>

In 1980 someone suggested finding him,<sup>4</sup> and three years later the search for Rooker Feldman ended. He stepped out of obscurity and visited the Supreme

Court of the United States for the second time in his life.<sup>5</sup> And he liked fame. He liked it so much that he thought fifteen minutes was hardly enough. He made himself into a minor celebrity, taking a hyphenated stage name and even making a tour of courthouses around the country (“How to Dismantle a Preclusion Bomb”). Chicago audiences loved him,<sup>6</sup> but at home he had few fans.<sup>7</sup> On tour Feldman did not always look well, and rumors spread about his poor health.<sup>8</sup> In 1999 a law professor at Duke University threatened to kill him.<sup>9</sup>

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*Samuel Bray is clerking for the Hon. Michael McConnell, U.S. Court of Appeals for the Tenth Circuit.*

1 *Lance v. Dennis*, 126 S.Ct. 1198, 1202 (2006).

2 *Rooker v. Fidelity Trust Co.*, 263 U.S. 413, 416 (1923).

3 One of the first references to Mr. Feldman in the legal literature came in a discussion of his lesser-known and deservedly obscure contribution to the law of judicial recusal. See T.W. Cousens, *Interest of judge in an official or representative capacity, or relationship of judge to one who is a party in an official or representative capacity, as disqualification*, 10 A.L.R. 2d 1307 (1950).

4 Williamson B.C. Chang, *Rediscovering the Rooker Doctrine: Section 1983, Res Judicata and the Federal Courts*, 31 *Hastings L. J.* 1337 (1980).

5 *D.C. Court of Appeals v. Feldman*, 460 U.S. 463 (1983).

6 He appears in 191 cases in the Northern District of Illinois.

7 He was mentioned by the Court of Appeals for the D.C. Circuit in only twelve cases.

8 See, e.g., Susan Bandes, *The Rooker-Feldman Doctrine: Evaluating Its Jurisdictional Status*, 74 *Notre Dame L. Rev.* 1175 (1999).

9 Thomas D. Rowe, Jr., *Rooker-Feldman: Worth Only the Powder to Blow It Up?*, 74 *Notre Dame L.*

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Despite his best efforts, and with a little too much help from friends in high places, Mr. Feldman's strength waned. In 2002 he took ill;<sup>10</sup> he seemed to recover, but in March 2005 he fell ill again and suffered for eleven

months from spinal, aortic, and pulmonic stenosis.<sup>11</sup> It is hoped that he leaves no survivors. Funeral services will be held in the National Cathedral on Friday, February 24, 2006, at 2:00 p.m. *GB*

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Rev. 1081 (1999).

<sup>10</sup> *Verizon Md. Inc. v. Pub. Serv. Comm'n of Md.*, 535 U.S. 635, 644 n.3 (2002).

<sup>11</sup> *Exxon Mobil Corp. v. Saudi Basic Indus. Corp.*, 544 U.S. 280 (2005).