

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
OKLAHOMA

Kendrick Simpson v. Christe Quick, et al.

No. CIV-25-1221-D, United States District Court for the Western District of Oklahoma (January 8, 2026)

SUMMARY

The United States District Court for the Western District of Oklahoma denied Kendrick Simpson’s motion for a preliminary injunction seeking to prevent his execution while he appealed the dismissal of his 42 U.S.C. § 1983 action. The court held that it lacked jurisdiction under the Rooker-Feldman doctrine and Eleventh Amendment immunity and alternatively determined that Simpson had not shown a likelihood of success on appeal or satisfied the requirements for injunctive relief.

CASE DETAILS

COURT	United States District Court for the Western District of Oklahoma
WRITING FOR THE COURT	Timothy D. DeGiusti
JURISDICTION	United States District Court for the Western District of Oklahoma
DECIDED	January 8, 2026
DOCKET	CIV-25-1221-D
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved under Federal Rule of Appellate Procedure 8(a)(1)(C) for a preliminary injunction barring defendants from executing him while he appealed the dismissal of his 42 U.S.C. § 1983 action.
STANDARD OF REVIEW	To obtain an injunction pending appeal, the movant must establish a likelihood of success on appeal, a threat of irreparable harm absent relief, an absence of harm to opposing parties if relief is granted, and that the public interest supports relief. The third and fourth factors merge when the government is the opposing party.
PRECEDENTIAL VALUE	unpublished district-court order
PARTIES	Kendrick Simpson v. Christe Quick, et al.

TOPICS

- injunctions
- subject matter jurisdiction
- eleventh amendment immunity
- appellate procedure
- civil procedure

PRACTICE AREAS

civil procedure

appellate procedure

constitutional law

civil rights

remedies

federal jurisdiction

QUESTIONS PRESENTED

1. Whether the district court had jurisdiction to enjoin defendants from executing Simpson while his appeal from the dismissal of his § 1983 action was pending.
2. Whether Simpson satisfied the requirements for an injunction pending appeal, including a substantial likelihood of success on the merits.

HOLDINGS

1. A district court that lacks jurisdiction over the plaintiff's underlying claims under the Rooker-Feldman doctrine and Eleventh Amendment immunity also lacks jurisdiction to direct the same defendants' conduct through an injunction pending appeal.
2. Simpson failed to establish a substantial likelihood of success on appeal because he did not explain how the district court could reach the merits despite the jurisdictional rulings under Rooker-Feldman and Eleventh Amendment immunity.
3. A movant seeking injunctive relief pending appeal must show a likelihood of success on the merits; irreparable harm cannot independently justify relief by relaxing that requirement.

KEY QUOTATIONS

"This Court lacks jurisdiction to direct Defendants' actions on Plaintiff's underlying claims; this Court lacks jurisdiction to direct the same Defendants not to act pending Plaintiff's appeal of the underlying claims."
(Discussion § I)

"Plaintiff must show a likelihood of success on the merits in order for an injunction to issue." (Discussion § II)

"For the above stated reasons, the Court finds that it does not have jurisdiction to enjoin the Defendants as requested and, alternatively, Plaintiff has failed to establish the necessary factors supporting an injunction, and therefore DENIES Plaintiff's Motion for a Preliminary Injunction" (Conclusion)

FACTUAL BACKGROUND

Simpson is an Oklahoma death-row inmate whose execution was set for February 12, 2026. He had challenged Oklahoma's method-of-execution statute in state court, but the Oklahoma Court of Criminal Appeals denied the claim as unripe. He then brought a federal § 1983 action alleging due process, judicial-access, and equal-protection violations based on the state court's handling of that litigation. The federal court dismissed the action for lack of jurisdiction under Rooker-Feldman and Eleventh Amendment immunity, prompting Simpson to seek an injunction pending appeal.

PROCEDURAL HISTORY

Simpson, an Oklahoma death-row inmate, filed a § 1983 action challenging the Oklahoma Court of Criminal Appeals' handling of his state-court challenge to Oklahoma's method-of-execution statute. The district court dismissed the action without prejudice for lack of jurisdiction under the Rooker-Feldman doctrine and Eleventh Amendment immunity. After the OCCA set Simpson's execution date, he sought an injunction pending appeal. The district court denied the motion, concluding that it lacked jurisdiction to issue the requested injunction and, alternatively, that Simpson had not shown a likelihood of success on appeal or otherwise satisfied the requirements for injunctive relief.

DISPOSITION

other

CASES CITED

- Underwood v. Harpe, PR-2024-637 (Okla. Crim. App. Sep. 17, 2024)
- Exxon Mobil Corp. v. Saudi Basic Industries Corp., 544 U.S. 280, 291 (2005)
- Carlsbad Technology, Inc. v. HIF Bio, Inc., 556 U.S. 635, 639 (2009)
- Willy v. Coastal Corp., 503 U.S. 131, 137 (1992)
- Pennhurst State School & Hospital v. Halderman, 465 U.S. 89, 121 (1984)
- Nken v. Holder, 556 U.S. 418, 428, 435 (2009)
- Homans v. City of Albuquerque, 264 F.3d 1240, 1243 (10th Cir. 2001)
- Does 1-11 v. Board of Regents of University of Colorado, 100 F.4th 1251, 1267 (10th Cir. 2024)
- Harmon v. City of Norman, 981 F.3d 1141, 1146 (10th Cir. 2020)
- Littlejohn v. Quick, No. 24-6203 (10th Cir. Sep. 26, 2024)
- Diné Citizens Against Ruining Our Environment v. Jewell, 839 F.3d 1276, 1282 (10th Cir. 2016)
- Winter v. Natural Resources Defense Council, Inc., 555 U.S. 7 (2008)

OPINION

Simpson
PER CURIAM.
IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA
KENDRICK SIMPSON,)
) Plaintiff,)) v.) Case No. CIV-25-1221-D) CHRISTE QUICK, et al.,)) Defendants.)

ORDER

Before the Court is Plaintiff’s Motion for a Preliminary Injunction [Doc. No. 26]. Defendants filed a Response [Doc. No. 29], to which Plaintiff replied [Doc. No. 30]. The matter is fully briefed.

BACKGROUND

Plaintiff, an Oklahoma death row inmate, was among a group of inmates who challenged Oklahoma’s method-of-execution statute¹ in state court. The Oklahoma Court of Criminal Appeals

(“OCCA”) denied the claim as unripe. *Underwood v. Harpe*, PR- 2024-637 (Okla. Crim. App. Sep. 17, 2024). Plaintiff filed suit in this Court under 42 U.S.C. § 1983 alleging violations of his constitutional rights to due process, judicial access, and equal protection based on the OCCA’s handling of the state-court lawsuit. While the federal suit was pending, the OCCA set Plaintiff’s execution date for February 12, 2026. *Order Setting Execution Date, Simpson v. State*, No. D-2007-1055 (Okla. Crim. App. 1 Okla. Stat. tit. 22, § 1014. Nov. 19, 2025). This Court dismissed Plaintiff’s § 1983 suit without prejudice for lack of jurisdiction pursuant to the doctrines of both *Rooker-Feldman* and Eleventh Amendment immunity. [Doc. No. 24] (“MTD Order”). Pursuant to Rule 8(a)(1)(C) of the Federal Rules of Appellate Procedure, Plaintiff filed his Motion for a Preliminary Injunction requesting that Defendants be enjoined from executing him while he appeals this Court’s decision.

STANDARD

To obtain an injunction pending appeal, Plaintiff must establish 1) “the likelihood of success on appeal;” 2) “the threat of irreparable harm if the stay or injunction is not granted;” 3) “the absence of harm to opposing parties if the stay or injunction is granted;” and 4) “any risk of harm to the public interest.” *Homans v. City of Albuquerque*, 264 F.3d 1240, 1243 (10th Cir. 2001). “The third and fourth prongs ‘merge when the Government is the opposing party.’” *Does 1-11 v. Bd. of Regents of Univ. of Colo.*, 100 F.4th 1251, 1267 (10th Cir. 2024) (quoting *Nken v. Holder*, 556 U.S. 418, 435 (2009)).

DISCUSSION

I. The Court lacks jurisdiction to issue the requested injunction The same jurisdictional concerns addressed in the MTD Order apply to Plaintiff’s current injunction request. For the reasons explained in the MTD Order, this Court found it did not have jurisdiction over Plaintiff’s claims against the Defendants under both the *Rooker-Feldman* doctrine and Eleventh Amendment immunity. *Rooker-Feldman* precludes a district court from exercising subject-matter jurisdiction. *Exxon Mobil Corp. v. Saudi Basic Indus. Corp.*, 544 U.S. 280, 291 (2005). Subject matter jurisdiction “represents the extent to which a court can rule on the conduct of persons or the status of things.” *Carlsbad Tech., Inc. v. HIF Bio, Inc.*, 556 U.S. 635, 639 (2009) (citation modified). “A final determination of lack of subject-matter jurisdiction . . . precludes further adjudication of it.” *Willy v. Coastal Corp.*, 503 U.S. 131, 137 (1992). Additionally, no “other basis of jurisdiction may override the Eleventh Amendment.” *Pennhurst State Sch. & Hosp. v. Halderman*, 465 U.S. 89, 121 (1984). “[T]he extraordinary remedy of injunction . . . directs the conduct of a party, and does so with the backing of [the court’s] full coercive powers.” *Nken v. Holder*, 556 U.S. 418, 428 (2009) (citation modified). This Court lacks jurisdiction to direct Defendants’ actions on Plaintiff’s underlying claims; this Court lacks jurisdiction to direct the same Defendants not to act pending Plaintiff’s appeal of the underlying claims. II. Alternatively, Plaintiff has not met his burden to obtain an injunction Even if the exercise of jurisdiction were proper, Plaintiff fails to meet his burden to obtain an injunction pending appeal. To show a substantial likelihood of success on the

merits, Plaintiff must show “a reasonable probability that [he] will ultimately be entitled to the relief sought.” *Harmon v. City of Norman*, 981 F.3d 1141, 1146 (10th Cir. 2020) (citation modified). As discussed above, the Court determined that it did not have jurisdiction under both the Rooker-Feldman doctrine and Eleventh Amendment immunity. Plaintiff does not explain how the Court can reach the merits of his claim, and therefore he has not shown that he will ultimately be entitled to the relief sought. Plaintiff has not shown a substantial likelihood of success on the merits. In a similar case dismissed by the district court pursuant to Rooker-Feldman and Eleventh Amendment immunity, the Tenth Circuit denied an emergency motion for a stay because the appellant did “not address the jurisdictional basis for the district court’s ruling or establish[] that he is likely to succeed on appeal in arguing that the ruling was incorrect under the Rooker-Feldman doctrine or as to Eleventh Amendment immunity.” *Littlejohn v. Quick*, No. 24-6203 (10th Cir. Sep. 26, 2024). Plaintiff’s present motion does not present any new argument for why the jurisdictional issues are not applicable, and thus this Court cannot find that Plaintiff is likely to succeed on the merits of his appeal. Although Plaintiff argues that the risk of irreparable harm is so great that an injunction is warranted regardless of the likelihood of success on the merits, this position is not supported by binding precedent. “[A]ny modified test which relaxes one of the prongs for preliminary relief and thus deviates from the standard [preliminary injunction] test is impermissible. *Diné Citizens Against Ruining Our Env’t v. Jewell*, 839 F.3d 1276, 1282 (10th Cir. 2016) (citing *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7 (2008)). Plaintiff must show a likelihood of success on the merits in order for an injunction to issue.

CONCLUSION

For the above stated reasons, the Court finds that it does not have jurisdiction to enjoin the Defendants as requested and, alternatively, Plaintiff has failed to establish the necessary factors supporting an injunction, and therefore DENIES Plaintiff’s Motion for a Preliminary Injunction [Doc. No. 26]. IT IS SO ORDERED this 8th day of January, 2026. \ A & Q.

TIMOTHY D. DeGIUSTI

Chief United States District Judge