

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
INDIANA

Brunswick Exinor v. Freedom Mortgage Corp.

Exinor · No. 1:25-cv-02339-TWP-MJD · Decided December 8, 2025

SUMMARY

The United States District Court for the Southern District of Indiana denied without prejudice Brunswick Exinor's verified motion for a temporary restraining order seeking to halt foreclosure proceedings. The court treated the motion as seeking preliminary injunctive relief and concluded that Exinor had not established the required likelihood of success, irreparable harm, or lack of an adequate legal remedy, particularly because jurisdiction had not been established and the defendant had not been served. The court permitted Exinor to file an amended complaint by January 5, 2026.

CASE DETAILS

COURT	United States District Court for the Southern District of Indiana
WRITING FOR THE COURT	Tanya Walton Pratt
JURISDICTION	United States District Court for the Southern District of Indiana
DECIDED	December 8, 2025
DOCKET	1:25-cv-02339-TWP-MJD
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for a temporary restraining order or preliminary injunction to prevent the defendant from initiating, continuing, or completing foreclosure proceedings during the federal tort action. The district court denied the motion without prejudice as premature.
STANDARD OF REVIEW	A motion for a temporary restraining order is generally evaluated under the same equitable standards as a motion for a preliminary injunction. The movant must show irreparable harm, inadequate legal remedies, and some likelihood of success on the merits, after which the court balances the harms to the parties.
PRECEDENTIAL VALUE	nonprecedential district court order
PARTIES	Brunswick Exinor v. Freedom Mortgage Corp.

TOPICS

injunctions

subject matter jurisdiction

foreclosure

civil procedure

PRACTICE AREAS

civil procedure

injunctive relief

real estate foreclosure

federal jurisdiction

QUESTIONS PRESENTED

1. Whether the motion styled as a temporary restraining order should be evaluated as a motion for preliminary injunction.
2. Whether Exinor established the threshold requirements for preliminary injunctive relief.
3. Whether the motion was premature because federal jurisdiction had not been established, no amended complaint had been filed, and the defendant had not been served.

HOLDINGS

1. Because the requested relief sought to restrain foreclosure during the pendency of the action and could extend beyond the fourteen-day limit for a temporary restraining order, the motion was better understood and evaluated as a motion for preliminary injunction.
2. Exinor failed to establish the threshold requirements for preliminary injunctive relief because she had not shown a likelihood of success on the merits, likely irreparable harm, or the absence of an adequate remedy at law.
3. The motion was premature and had to be denied without prejudice because federal jurisdiction had not been determined, no amended complaint had been filed, and the defendant had not been served.
4. The court previously determined that most claims relating to the state foreclosure case and judgment appeared barred by the Rooker-Feldman doctrine, which precludes lower federal courts from exercising jurisdiction over claims seeking review of state-court judgments or claims inextricably intertwined with those judgments.

KEY QUOTATIONS

“A preliminary injunction is an extraordinary equitable remedy that is available only when the movant shows clear need.” (Discussion)

“A preliminary injunction is an exercise of a very far-reaching power, never to be indulged in except in a case clearly demanding it.” (Discussion)

“Accordingly, this motion for temporary restraining is premature and must be denied.” (Conclusion)

FACTUAL BACKGROUND

Exinor sought to prevent Freedom Mortgage from pursuing foreclosure of residential property in Noblesville, Indiana. She characterized herself as a private, noncorporate living soul and asserted claims involving the state foreclosure judgment, copyright, trademark, and identity theft. The court had not yet determined that federal jurisdiction existed, and Exinor had not filed an amended complaint or served Freedom Mortgage.

PROCEDURAL HISTORY

Exinor filed the action on November 13, 2025 and made several prior attempts to obtain preliminary injunctive relief. The court screened her original complaint on November 26, 2025, concluding that most claims appeared barred by the Rooker-Feldman doctrine and that other claims were based on patently meritless sovereign-citizen theories. The court directed her not to renew a preliminary-injunction motion until she filed an amended complaint, the court screened it for jurisdiction, and Freedom Mortgage was served. No amended complaint had been filed when the court denied the motion.

DISPOSITION

other

CASES CITED

- International Profit Associates, Inc. v. Paisola, 461 F. Supp. 2d 672, 675 (N.D. Ill. 2006)
- Decker v. Lammer, 2022 WL 135429, at *2 (7th Cir. Jan. 14, 2022)
- Turnell v. Centimark Corp., 796 F.3d 656, 661 (7th Cir. 2015)
- Speech First, Inc. v. Killen, 968 F.3d 628, 637 (7th Cir. 2020)
- Orr v. Shicker, 953 F.3d 490, 501 (7th Cir. 2020)
- Long v. Shorebank Development Corp., 182 F.3d 548, 554 (7th Cir. 1999)
- Remer v. Burlington Area School District, 205 F.3d 990, 996 (7th Cir. 2000)

OPINION

EXINOR

PER CURIAM.

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF INDIANA

INDIANAPOLIS DIVISION

BRUNSWICK EXINOR,)

) Plaintiff,)) v.) No. 1:25-cv-02339-TWP-MJD)

FREEDOM MORTGAGE CORP.,)

) Defendant.)

ORDER DENYING MOTION FOR TRO

This matter is before the Court on pro se Plaintiff Brunswick Exinor's ("Ms. Exinor") Verified Motion for Temporary Injunction (Dkt. 16). This filing is Ms. Exinor's fourth attempt for preliminary injunctive relief since she initiated this action on November 13, 2025. (See Dkts. 6, 7, 9 and 11). In this Motion, Ms. Exinor asserts that she is a "permanent living soul not corporate entity acting in her private capacity" and she tasks the Court, under Indiana Trial Rule 65 for issuance of a Temporary Injunction restraining Defendant Freedom Mortgage Corporation ("Freedom Mortgage"). She seeks to prohibit Freedom Mortgage from "initiating, continuing, or

completing any foreclosure proceedings against the residential property located in Noblesville Indiana, during the pendency of this tort action." *Id.* For the reasons explained below, the Motion must be denied.

I. DISCUSSION

Rule 65 of the Federal Rules of Civil Procedure authorizes district courts to issue two forms of temporary injunctive relief: preliminary injunctions and temporary restraining orders. Courts generally apply the same equitable standards to a motion for a temporary restraining order as they do to a motion for a preliminary injunction. See *International Profit Associates, Inc. v. Paisola*, 461 F. Supp. 2d 672, 675 (N.D. Ill. 2006) (collecting cases). Given the substance of the relief sought, the motion for a temporary restraining order is better understood as a motion for preliminary injunction. This is because "[a] temporary restraining order may not exceed 14 days without good cause." *Decker v. Lammer*, 2022 WL 135429, *2 (7th Cir. Jan. 14, 2022) (citing Fed. R. Civ. P. 65(b)(2)). "A preliminary injunction is an extraordinary equitable remedy that is available only when the movant shows clear need." *Turnell v. Centimark Corp.*, 796 F.3d 656, 661 (7th Cir. 2015). To obtain a preliminary injunction a plaintiff first must show that: "(1) without this relief, [he] will suffer irreparable harm; (2) traditional legal remedies would be inadequate; and (3) [he] has some likelihood of prevailing on the merits of [his] claims." *Speech First, Inc. v. Killen*, 968 F.3d 628, 637 (7th Cir. 2020). If the plaintiff meets these threshold requirements, "the court then must weigh the harm the denial of the preliminary injunction would cause the plaintiff against the harm to the defendant if the court were to grant it." *Id.* "[A] preliminary injunction is an exercise of a very far-reaching power, never to be indulged in except in a case clearly demanding it." *Orr v. Shicker*, 953 F.3d 490, 501 (7th Cir. 2020) (cleaned up). On November 26, 2025 the Court screened Ms. Exinor's original Complaint and explained that it was subject to dismissal, because; Based on the allegations of the Complaint, this Court does not have jurisdiction to adjudicate Exinor's claims. Most of her claims relate to the state court Foreclosure Case and the judgment entered in that case, so they are barred by the Rooker- Feldman doctrine. ... According to this doctrine, lower federal courts are precluded from exercising jurisdiction over claims seeking review of state court judgments or over claims "inextricably intertwined" with state court determinations. See, e.g., *Long v. Shorebank Dev. Corp.*, 182 F.3d 548, 554 (7th Cir. 1999). "The Rooker- Feldman doctrine precludes federal jurisdiction over these claims because, no matter how erroneous or unconstitutional the state court judgment may be, the Supreme Court of the United States is the only federal court that could have jurisdiction to review a state court judgment." *Remer v. Burlington Area Sch. Dist.*, 205 F.3d 990, 996 (7th Cir. 2000). (Dkt. 15 at 5-6). The Court further explained that it lacks jurisdiction "over most, if not all, of Exinor's other claims under the Rooker Feldman doctrine. The Court informed Ms. Exinor that the "proper course of action for her to challenge the state court's orders is to appeal those orders to the Indiana Court of Appeals—which she has done—and, if appropriate, the Indiana Supreme Court and United States Supreme Court." *Id.* at 6. With respect to the remaining claims, the Court clarified

that Ms. Exinor's copyright, trademark, and identity theft claims, sound in "sovereign citizen" theories, which are patently meritless and have been repeatedly rejected by courts within the Seventh Circuit. *Id.* Most importantly, the Court previously explained that a court may issue a preliminary injunction only on notice to the adverse party. Fed. R. Civ. P. 65(a)(1). Ms. Exinor was informed that she should not seek to renew her motion for preliminary injunction until the filing of any Amended Complaint, screening of the Amended Complaint (to determine if this Court has jurisdiction to hear the case), and after the defendant has been served. To date, no Amended Complaint has been filed. Ms. Exinor has not established the three threshold requirements necessary for preliminary injunctive relief. Until federal jurisdiction is determined, there can be no likelihood of success on the merits, no showing that she will likely suffer irreparable harm absent obtaining preliminary injunctive relief, and she cannot demonstrate that she has no adequate remedy at law should the preliminary injunction not issue. Accordingly, this motion for temporary restraining is premature and must be denied.

III. CONCLUSION

For the foregoing reasons, the Verified Motion for Temporary Restraining Order, Dkt. [16], is DENIED without prejudice. Although Ms. Exinor is given until January 5, 2026 to file an Amended Complaint, she need not wait until that deadline to make that filing if some urgency exists. If Ms. Exinor needs an earlier determination on whether this federal court has jurisdiction to hear her claims, she should file any Amended Complaint accordingly. IT IS SO ORDERED. Date: 12/8/2025 A 'atta Urcth Hon. Tanya Walton Pratt, Judge United States District Court Southern District of Indiana Distribution:

BRUNSWICK EXINOR

P.O. Box 864 Noblesville, IN 46061