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PRECEDENTIAL VALUE	nonprecedential district court order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)