

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

**Brandon Lee De Vito v. Jefferson County School District R-1;
Colorado Department of Education; Colorado Office of
Administrative Courts; Laura Broniak, Director and Chief
Administrative Law Judge of the Colorado Office of Administrative
Courts Judicial Function and in Capacity of ADA Coordinator; and
Nicholas Jacob Campbell, Magistrate Judge of the District Court for
Jefferson County, Colorado (Official Capacity)**

De Vito v. Jefferson County School District R-1 · No. 1:25-cv-03591-CNS-SBP · Decided April 1, 2026

SUMMARY

The United States District Court for the District of Colorado denied Plaintiff Brandon Lee De Vito’s combined motion for a temporary restraining order and preliminary injunction. The court held that the Anti-Injunction Act barred the requested interference with ongoing state-court proceedings and that the motion did not establish grounds for injunctive relief against the school district.

CASE DETAILS

COURT	United States District Court for the District of Colorado
WRITING FOR THE COURT	Charlotte N. Sweeney
JURISDICTION	United States District Court for the District of Colorado
DECIDED	April 1, 2026
DOCKET	1:25-cv-03591-CNS-SBP
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed a Notice of Post-Complaint Developments and Combined Motion for Temporary Restraining Order and Preliminary Injunction seeking to stay or enjoin ongoing state-court proceedings and obtain relief involving the school district. The district court denied the motion.
STANDARD OF REVIEW	A plaintiff seeking a temporary restraining order or preliminary injunction must establish all four factors: likelihood of success on the merits, irreparable injury, a balance of threatened injuries favoring the plaintiff, and consistency with the public interest.

PRECEDENTIAL VALUE	unpublished, nonprecedential district court order
PARTIES	Brandon Lee De Vito v. Jefferson County School District R-1, Colorado Department of Education, Colorado Office of Administrative Courts, Laura Broniak, Nicholas Jacob Campbell

TOPICS

injunctions civil procedure federalism ada / disability section 1983

PRACTICE AREAS

civil procedure constitutional law civil rights disability law injunctive relief

QUESTIONS PRESENTED

1. Whether Plaintiff could use a notice contained in a motion for injunctive relief to supplement the allegations of the Second Amended Complaint with post-complaint factual developments.
2. Whether the Anti-Injunction Act barred Plaintiff's request to enjoin or stay the ongoing state-court proceedings.
3. Whether Plaintiff established the likelihood-of-success element required for a temporary restraining order or preliminary injunction against the State Defendants.
4. Whether Plaintiff established a factual and legal basis for injunctive relief against the School District Defendant.

HOLDINGS

1. A plaintiff may not supplement the operative complaint's allegations through a notice contained in a motion for injunctive relief; the court therefore did not consider the post-complaint factual developments at the injunction stage.
2. The Anti-Injunction Act barred Plaintiff's request to enjoin or stay the underlying state-court proceedings because no applicable statutory exception was shown.
3. Plaintiff failed to establish a likelihood of success on the merits, and therefore failed to satisfy the required preliminary-injunction standard.
4. Plaintiff was not entitled to injunctive relief against the School District Defendant because the motion did not articulate factual or legal grounds for relief against that defendant.

KEY QUOTATIONS

“But the Anti-Injunction Act, 22 U.S.C. § 2283, “‘is an absolute prohibition against enjoining state court proceedings.’” (Discussion)

“And “unless the injunction falls within one of the three specifically defined exceptions, the prohibition against enjoining state court proceedings is absolute.”” (Discussion)

“Accordingly, and consistent with the above analysis, Plaintiff’s Notice of Post-Complaint Developments and Combined Motion for Temporary Restraining Order and Preliminary Injunction, ECF No. 28, is DENIED.”
(Discussion)

FACTUAL BACKGROUND

Plaintiff sought to stay enforcement of a March 16, 2026 civil money judgment and an April 17, 2026 contempt hearing in an underlying Jefferson County District Court proceeding. His motion also referred to post-complaint developments and advanced constitutional and ADA-related theories that were not all included in the Second Amended Complaint. The motion did not identify factual or legal grounds for injunctive relief against the school district and instead targeted the state court proceeding.

PROCEDURAL HISTORY

Plaintiff’s motion sought to supplement the operative Second Amended Complaint with post-complaint allegations and requested temporary and preliminary injunctive relief. The State Defendants and School District Defendant filed responses. The court declined to consider the post-complaint notice as a supplement to the complaint and denied injunctive relief against all defendants.

DISPOSITION

other

CASES CITED

- *Wiechmann v. Ritter*, 44 F. App’x 346, 347 (10th Cir. 2002)
- *Witt v. Colorado*, No. 1:22-cv-02242-CNS-NRN, 2023 WL 2375092, at *1 (D. Colo. Mar. 6, 2023)
- *Denver Homeless Out Loud v. Denver, Colorado*, 32 F.4th 1259, 1277 (10th Cir. 2022)
- *Jones v. Denver Hum. Servs.*, No. 1:25-cv-01979-GPG-SBP, 2025 WL 3907659, at *9 (D. Colo. Oct. 22, 2025), report and recommendation adopted, No. 1:25-cv-01979-GPG-SBP, 2025 WL 3907698 (D. Colo. Dec. 23, 2025)
- *Thomas v. Superior Ct. of California*, No. CV 25-01872-SB (DFM), 2025 WL 2491521, at *4 (C.D. Cal. Mar. 6, 2025), report and recommendation adopted sub nom. *Thomas v. Superior Ct. of California*, No. 2:25-cv-01872-SB-DFM, 2025 WL 2491522 (C.D. Cal. Mar. 27, 2025)
- *Arthur v. JP Morgan Chase Bank, NA*, 569 F. App’x 669, 678 (11th Cir. 2014)
- *Chester v. Bank of Am.*, No. 1:14-CV-00027-JEC-GGB, 2014 WL 12323683, at *2 (N.D. Ga. Mar. 17, 2014)
- *Willis v. Roddy*, No. 16CV1008 BEN (JLB), 2016 WL 2594061, at *2 (S.D. Cal. May 5, 2016)
- *Moore v. Cap. Realty Grp., Inc.*, No. 21-CV-1099LGF, 2023 WL 4699915, at *4 (W.D.N.Y. July 24, 2023)
- *Schupper v. Cafasso*, 708 F. App’x 943, 946 (10th Cir. 2017)
- *Littlejohn v. CitiMortgage Inc.*, No. 3:15-cv-194-J-34JRK, 2015 WL 789131, at *2 (M.D. Fla. Feb. 24, 2015)
- *Flexpak, LLC v. Scharrer*, No. 1:25-cv-02439-CNS-STV, 2026 WL 234011, at *2 (D. Colo. Jan. 29, 2026)
- *W.-He/Imle v. Denver Dist. Attorney’s Off.*, No. 1:19-cv-02304-RM-STV, 2019 WL 13092597, at *1 (D. Colo. Oct. 23, 2019)

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