

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WASHINGTON

**Mikal Cordova Harrison v. Judge Monica K. Cary, in Her Personal
and Official Capacities, and Tarrell Harrison, Jr., in His Individual
Capacity**

Harrison · No. 2:26-cv-00353-JNW · Decided February 4, 2026

OPINION

1 2 3 4 5 UNITED STATES DISTRICT COURT 6 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE 7 MIKAL CORDOVA HARRISON, CASE NO. 2:26-cv-00353-JNW 8 Plaintiff,
ORDER DENYING MOTION FOR 9 TEMPORARY RESTRAINING ORDER v. AND ORDER
TO SHOW CAUSE 10 JUDGE MONICA K. CARY, in her 11 personal and official capacities,
and TARRELL HARRISON, JR, in his 12 individual capacity, 13 Defendants.

14 Plaintiff Mikal Cordova Harrison, proceeding pro se, moves ex parte for a 15 temporary
restraining order to prevent the enforcement of family law orders issued 16 by King County
Superior Court. Dkt. No. 3. The Court DENIES the motion for the 17 reasons below.

The Court has liberally construed Harrison’s filings, as it must for 18 pro se litigants, but even so
construed, the motion is DENIED for the reasons stated 19 below. 20 “Motions for temporary
restraining orders without notice and an opportunity 21 to be heard by the adverse party are
disfavored and will rarely be granted.” 22 LCR 65(b). Federal Rule of Civil Procedure 65(b)
clarifies that courts may only 23 1 grant ex parte motions for temporary restraining orders if: “(A)
specific facts in an 2 affidavit or a verified complaint clearly show that immediate and irreparable
injury, 3 loss, or damage will result to the movant before the adverse party can be heard in 4
opposition; and (B) the movant’s attorney [or movant] certifies in writing any efforts 5 made to
give notice and the reasons why it should not be required.” Fed.

R. Civ. P. 6 65(b)(1). Harrison has failed to comply with this rule—this procedural failure alone 7
warrants denial of her motion. 8 Even if Harrison had complied with Rule 65(b)’s procedural
requirements, 9 the Court would deny the motion because Harrison has not shown a likelihood of
10 success on the merits. 11 “[I]njunctive relief [is] an extraordinary remedy that may only be
awarded 12 upon a clear showing that the plaintiff is entitled to such relief.” Winter v. Nat.

Res. 13 Def. Council, Inc., 555 U.S. 7, 22 (2008). “The proper legal standard for preliminary 14
injunctive relief requires a party to demonstrate [1] ‘that he is likely to succeed on 15 the merits,
[2] that he is likely to suffer irreparable harm in the absence of 16 preliminary relief, [3] that the

balance of equities tips in his favor, and [4] that an injunction is in the public interest.” Stormans, Inc. v. Selecky, 586 F.3d 1109, 1127 (9th Cir. 2019).

(citing Winter, 555 U.S. at 20). The Ninth Circuit takes a “sliding-scale” approach to preliminary relief, under which “serious questions going to the merits and a balance of hardships that tips sharply towards the plaintiffs can support issuance of [preliminary injunctive relief], so long as the plaintiffs also show that there is a likelihood of irreparable injury and that the injunction is in the public interest.” *Fraihat v. U.S. Immigr. & Customs Enf’t*, 16 F.4th 613, 635 (9th Cir. 2021).

(cleaned up). This approach allows a stronger showing of one Winter factor to offset a weaker showing of another. *Planned Parenthood Great Nw., Hawaii, Alaska, Indiana, Kentucky v. Labrador*, 122 F.4th 825, 843–44 (9th Cir. 2024). Harrison’s motion does not meaningfully address the first Winter factor—whether she is likely to succeed on her claims.

The briefing includes only a few, conclusory sentences on this point. Accordingly, Harrison has not met her burden under Rule 65 for a temporary restraining order. See *All. for the Wild Rockies v. Cottrell*, 632 F.3d 1127, 1135 (9th Cir. 2011) (moving party must make “a showing on all four prongs” under Winter to obtain relief.). Several legal doctrines appear to preclude some or all of Harrison’s claims.

First, under the Rooker-Feldman doctrine, district courts lack subject matter jurisdiction over cases brought by state-court losers complaining of injuries caused by state-court judgments. *Miroth v. Cnty. of Trinity*, 136 F.4th 1141 (9th Cir. 2025). Rooker-Feldman applies “when the federal plaintiff both asserts as her injury legal error or errors by the state court and seeks as her remedy relief from the state court judgment.” *Id.* at 1151 (quoting *Kougasian v. TMSL, Inc.*, 359 F.3d 1136 (9th Cir. 2004)).

The Ninth Circuit has clarified that Rooker-Feldman applies when a federal Plaintiff alleges a “legal error by the state court,” as opposed to a “wrongful act by the adverse party” in the underlying, state-court litigation. *Id.* at 1150 (quotations omitted). Here, while Harrison alleges wrongful acts by the adverse party in the underlying state-court litigation, she also alleges that the presiding judge committed legal error, separate and apart from any wrongdoing by the adverse party.

Indeed, she asserts that the presiding judge entered erroneous orders that “were unsupported by the record and... lacking lawful foundation,” Dkt. No. 2 at 2, 4 and she asks this Court to enjoin those orders, *id.* at 24.

Accordingly, the Rooker-Feldman doctrine likely applies to some—if not all—of Harrison’s claims, making Harrison unlikely to succeed on the merits. Next, to the extent the underlying state family law proceedings remain ongoing, the Younger abstention doctrine may

independently require this Court to decline jurisdiction. See *Younger v. Harris*, 401 U.S. 37 (1971).

Federal courts must abstain from interfering with ongoing state judicial proceedings that implicate important state interests and provide an adequate opportunity to raise constitutional challenges. See *ReadyLink Healthcare, Inc. v. State Comp. Ins. Fund*, 13 F.3d 754, 758 (9th Cir. 2014). Family law is a matter of paramount state interest to which *Younger* may apply.

See *Laflam v. Hillman*, 2025 WL 1898922, at *3 (W.D. Wash. July 9, 2025) (collecting cases) (explaining *Younger* applies to some, but not all domestic relations proceedings). It is unclear whether the state proceedings are still pending, so the Court does not resolve *Younger*'s applicability at this time. But Harrison should address this issue in her response to the order to show cause below.

Finally, Harrison fails to explain how her claims against Judge Monica K. Cary can survive, given Judge Cary has judicial immunity. Judicial immunity is “absolute immunity [that] insulates judges from charges of erroneous acts or irregular action.” *In re Castillo*, 297 F.3d 940, 947 (9th Cir. 2002). “Judicial immunity discourages collateral attacks on final judgments through civil suits, and thus promotes the use of ‘appellate procedures as the standard system for correcting judicial error.’” *Id.* (quoting *Forrester v. White*, 484 U.S. 219, 225 (1988)).

It recognizes that “[m]ost judicial mistakes or wrongs are open to correction through ordinary mechanisms of review.” *Id.* (quoting *Forrester*, 484 U.S. at 225). While there are exceptions to judicial immunity, Harrison’s motion fails to argue that any exception applies to her case. Because Harrison failed to meet her burden of showing that she is likely to succeed on her claims, and because she failed to meet the requirements of Rule 65(b), an *ex parte* temporary restraining order is inappropriate.

Accordingly, Harrison’s motion is DENIED. Dkt. No. 3. Given the Court’s concerns identified above about whether Harrison can even maintain suit, Harrison is ORDERED TO SHOW CAUSE, in writing within TWENTY-ONE (21) days of this order why this case should not be dismissed for lack of subject matter jurisdiction. Failure to timely respond may result in dismissal of this action.

The Clerk is directed to calendar the response deadline on the Court’s docket. Dated this 4th day of February, 2026. C. Kal N. Whitehead United States District Judge