

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

Antoinette Marquez v. Amber Baker-Chavez, et al.

Marquez v. Baker-Chavez, No. 1:24-cv-00423-KG-JMR (D.N.M. Jan. 14, 2026) · No. 1:24-cv-00423-KG-JMR ·
Decided January 14, 2026

SUMMARY

The United States District Court for the District of New Mexico overruled Antoinette Marquez’s objection to the partial dismissal of her claims against Albuquerque Public Schools. The court upheld dismissal of the claims under 42 U.S.C. § 1983 and RICO, rejected objections concerning supplemental briefing, Rooker-Feldman, filing restrictions, and defaults, and left the § 1986 claim subject to supplemental briefing. The order also clarified that the court had not dismissed certain state-law claims against Albuquerque Public Schools on Rooker-Feldman grounds.

CASE DETAILS

COURT	United States District Court for the District of New Mexico
WRITING FOR THE COURT	Kenneth J. Gonzales
JURISDICTION	United States District Court for the District of New Mexico
DECIDED	January 14, 2026
DOCKET	1:24-cv-00423-KG-JMR
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff objected to an order granting in part Albuquerque Public Schools' motion to dismiss her Fifth Amended Civil Rights Complaint. The district court overruled the objection.
STANDARD OF REVIEW	Review of the challenged dismissal and procedural rulings; the court applied the Rule 12(b)(6) plausibility standard and considered whether the objection identified error in the prior order.
PRECEDENTIAL VALUE	Unknown; district court order with no published reporter citation
PARTIES	Antoinette Marquez v. Amber Baker-Chavez, Albuquerque Public Schools, other defendants

TOPICS

- motions to dismiss
- section 1983
- civil procedure
- subject matter jurisdiction
- civil rights

PRACTICE AREAS

civil procedure

civil rights

constitutional law

QUESTIONS PRESENTED

1. Whether the dismissal of Marquez's § 1983 claim against Albuquerque Public Schools should be overruled because the complaint referenced FERPA and APS Policy KB1.
2. Whether the dismissal of the RICO and RICO-conspiracy claims should be overruled where the complaint did not plausibly allege that APS and the other defendants operated as a continuing unit with a shared purpose to commit racketeering activity.
3. Whether the court improperly ordered supplemental briefing concerning the § 1986 claim after partially dismissing other claims.
4. Whether the Rooker-Feldman doctrine barred Marquez's civil-rights claims because they were inextricably intertwined with state-court proceedings and sought relief that would undo state-court judgments.
5. Whether filing restrictions or the alleged untimeliness of other defendants' answers affected the dismissal of Marquez's claims against APS.

HOLDINGS

1. The objection to dismissal of Count 1 was overruled because the Fifth Amended Complaint did not allege that an official APS policy or custom was the moving force behind the alleged constitutional deprivations.
2. The objection to dismissal of Counts 2 and 3 was overruled because the Fifth Amended Complaint did not plausibly allege that APS and the other defendants functioned as a continuing unit with a shared purpose to deprive Marquez of her rights through racketeering activity.
3. The court properly ordered supplemental briefing concerning the § 1986 claim because a supplemental brief is not a supplemental pleading and the court had inherent authority to manage the proceedings.
4. The objection did not establish error in the court's conclusion that Marquez's civil-rights claims were barred by Rooker-Feldman because they were inextricably intertwined with state-court proceedings and the requested relief would undo state-court judgments.

KEY QUOTATIONS

“a local government may not be sued under § 1983 for an injury inflicted solely by its employees or agents . . . to establish municipal liability, a plaintiff must first demonstrate a municipal policy or custom” (at 4-5)

“federal claims that were not raised in state court, or that do not on their face require review of a state court’s decision, may still be subject to Rooker-Feldman if those claims are inextricably intertwined with a state court judgment.” (at 10)

FACTUAL BACKGROUND

The case arose from events connected to child-custody proceedings in New Mexico state court. Marquez alleged that Albuquerque Public Schools and other defendants violated her rights, including through alleged interference with parental rights, denial of records and meetings, and related RICO, civil-rights, and state-law misconduct. Her § 1983 theory against APS relied on FERPA and APS Policy KB1 but did not allege that an APS policy or custom was the moving force behind the alleged constitutional injuries.

PROCEDURAL HISTORY

Marquez filed a Fifth Amended Complaint asserting federal and state claims against Albuquerque Public Schools and numerous other defendants arising from events associated with state-court child-custody proceedings. APS moved to dismiss. The court previously dismissed Counts 1, 2, and 3 against APS with prejudice, deferred ruling on Count 8 under 42 U.S.C. § 1986, and ordered supplemental briefing. Marquez objected, arguing that the dismissal, supplemental briefing, Rooker-Feldman analysis, filing restrictions, and issues concerning defaults were improper. The court considered her untimely response and overruled the objection.

DISPOSITION

other

CASES CITED

- Waller v. City and County of Denver, 932 F.3d 1277, 1283-84 (10th Cir. 2019)
- George v. Urb. Settlement Servs., 833 F.3d 1242, 1248 (10th Cir. 2016)
- Johnson v. Heath, 56 F.4th 851, 858-859 (10th Cir. 2022)
- Securities and Exchange Comm'n v. Management Solutions, Inc., 824 Fed.Appx. 550, 553 (10th Cir. 2020)
- Dietz v. Bouldin, 136 S. Ct. 1885, 1891-92 (2016)
- Mobley v. McCormick, 40 F.3d 337, 340 (10th Cir. 1994)
- Jakupovic v. Curran, 850 F.3d 898, 902 (10th Cir. 2017)
- Ashcroft v. Iqbal
- Bell Atlantic Corp. v. Twombly