

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NEW YORK

Felgemacher v. Carney

Felgemacher · No. 25-CV-128-LJV · Decided February 10, 2026

SUMMARY

The United States District Court for the Western District of New York denied Keith Felgemacher’s motion for reconsideration of the dismissal of his 42 U.S.C. § 1983 claims arising from custody proceedings. The court reaffirmed that judicial immunity applied to the claims against the family court judge and referee, that Ex parte Young did not support the requested injunctive relief, and that the prior dismissal would not be revisited.

CASE DETAILS

COURT	United States District Court for the Western District of New York
WRITING FOR THE COURT	Lawrence J. Vilardo
JURISDICTION	United States District Court for the Western District of New York
DECIDED	February 10, 2026
DOCKET	25-CV-128-LJV
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for reconsideration of the court's prior order granting defendants' motion to dismiss his 42 U.S.C. § 1983 action. Plaintiff filed a notice of appeal shortly after moving for reconsideration. The district court denied reconsideration.
STANDARD OF REVIEW	Reconsideration is subject to a strict standard and is generally warranted only upon an intervening change in controlling law, newly available evidence, or the need to correct clear error or prevent manifest injustice. The court also applied the legal standards governing judicial immunity and the Ex parte Young exception.
PRECEDENTIAL VALUE	Unpublished federal district-court order; limited precedential value.
PARTIES	Keith Felgemacher v. Judge Mary G. Carney, Donna M. Castiglione, New York State Unified Court System

TOPICS

motion for reconsideration

section 1983

sovereign immunity

standing

civil procedure

PRACTICE AREAS

civil procedure

civil rights

constitutional law

appellate procedure

QUESTIONS PRESENTED

1. Whether Felgemacher demonstrated grounds warranting reconsideration of the prior dismissal under the strict standard applicable to motions for reconsideration.
2. Whether the alleged exclusion from virtual court proceedings and provision of incomplete transcripts constituted nonjudicial administrative acts outside judicial immunity.
3. Whether the Ex parte Young exception permitted Felgemacher's claims for prospective injunctive relief against the state-court judge and referee or against the New York State Unified Court System.
4. Whether the timely reconsideration motion preserved the district court's jurisdiction despite Felgemacher's subsequent notice of appeal.

HOLDINGS

1. A motion for reconsideration must be denied absent an intervening change in controlling law, newly available evidence, or a need to correct clear error or prevent manifest injustice; Felgemacher identified no such basis.
2. Judicial immunity barred the damages claims against Carney and Castiglione because controlling proceedings in individual cases and handling records relating to cases over which they presided were judicial acts, not administrative acts.
3. The Ex parte Young exception did not preserve Felgemacher's claims for injunctive relief against the Unified Court System, Carney, or Castiglione.
4. The district court retained jurisdiction to decide the reconsideration motion because the timely motion to alter or amend judgment preceded the effectiveness of the notice of appeal.

KEY QUOTATIONS

“The standard for granting [a motion for reconsideration] is strict, and reconsideration will generally be denied unless the moving party can point to controlling decisions or data that the court overlooked—matters, in other words, that might reasonably be expected to alter the conclusion reached by the court.” (Discussion)

“In sum, the relevant acts taken by Erie County Family Court Judge Carney and Erie County Family Court Referee Castiglione related to matters over which they presided and therefore were judicial—not administrative—acts.” (Judicial Immunity section)

“For the reasons stated above, Felgemacher’s motion for reconsideration, Docket Item 12, is DENIED.” (Conclusion)

FACTUAL BACKGROUND

Felgemacher alleged that Judge Mary G. Carney and Referee Donna M. Castiglione violated his constitutional rights during state-court custody proceedings by excluding him from virtual proceedings and providing allegedly incomplete transcripts. He sought damages, injunctive relief, and declaratory relief against the judicial defendants and the New York State Unified Court System. The complaint also indicated that Felgemacher had discontinued his family court case.

PROCEDURAL HISTORY

Felgemacher commenced a § 1983 action alleging that an Erie County Family Court judge, a family court referee, and the New York State Unified Court System violated his Fourteenth Amendment rights during custody proceedings. The court previously dismissed the action for inadequate service, lack of subject matter jurisdiction as to the Unified Court System, judicial immunity, Eleventh Amendment and statutory immunity, and lack of standing. Felgemacher moved for reconsideration and later filed a notice of appeal; the court held that it retained jurisdiction because the reconsideration motion was timely and denied the motion.

DISPOSITION

other

CASES CITED

- Felgemacher v. Carney, 2025 WL 2261251 (W.D.N.Y. Aug. 6, 2025)
- Shrader v. CSX Transportation, Inc., 70 F.3d 255, 257 (2d Cir. 1995)
- Virgin Atlantic Airways, Ltd. v. National Mediation Board, 956 F.2d 1245, 1255 (2d Cir. 1992)
- United States v. Cheruvu, 2019 WL 3000682, at *2 (W.D.N.Y. July 10, 2019)
- Hill v. Washburn, 2013 WL 5962978, at *1 (W.D.N.Y. Nov. 7, 2013)
- Osterneck v. Ernst & Whitney, 489 U.S. 169, 174 (1989)
- Shomo v. Eckert, 755 F. Supp. 3d 344, 347 (W.D.N.Y. 2024)
- Griggs v. Provident Consumer Discount Co., 459 U.S. 56, 58 (1982)
- Biehner v. City of New York, 2021 WL 5827536, at *2 (S.D.N.Y. Dec. 7, 2021)
- Bliven v. Hunt, 579 F.3d 204, 209-10 (2d Cir. 2009)
- Mireles v. Waco, 502 U.S. 9, 11 (1991)
- Forrester v. White, 484 U.S. 219, 228-29 (1988)
- Shtrauch v. Dowd, 651 F. App'x 72, 74 (2d Cir. 2016) (summary order)
- People v. Knowles, 88 N.Y.2d 763, 766, 673 N.E.2d 902, 904 (1996)
- Buhannic v. Friedman, 2019 WL 481732, at *2, *4-5 (S.D.N.Y. Feb. 7, 2019)
- Ex parte Young, 209 U.S. 123 (1908)
- Kellogg v. Nichols, 703 F. Supp. 3d 367, 374 n.6 (N.D.N.Y. 2023)
- Whole Woman's Health v. Jackson, Whole Woman's Health v. Jackson, 595 U.S. 30, 39 (2021)
- Campbell v. City of Waterbury, 585 F. Supp. 3d 194, 203 (D. Conn. 2022)
- Black v. Vitello, 841 F. App'x 334, 336 (2d Cir. 2021) (summary order)

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