

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
ILLINOIS

Tina Rose v. State of Illinois, by and through its Judicial Branch,
including the Second Judicial Circuit and the Franklin County
Circuit Court

Rose · No. 3:25-CV-1207-NJR · Decided January 15, 2026

SUMMARY

The United States District Court for the Southern District of Illinois denied without prejudice Tina Rose’s motions for a preliminary injunction, judicial notice, and protective relief. The court held that the preliminary-injunction motion could not be granted before notice to the State of Illinois, that the requested facts did not qualify for judicial notice under Federal Rule of Evidence 201, and that the motion for protective relief failed to satisfy the procedural requirements for an ex parte temporary restraining order under Federal Rule of Civil Procedure 65(b).

CASE DETAILS

COURT	United States District Court for the Southern District of Illinois
WRITING FOR THE COURT	Nancy J. Rosenstengel
JURISDICTION	United States District Court for the Southern District of Illinois
DECIDED	January 15, 2026
DOCKET	3:25-CV-1207-NJR
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff proceeded pro se on two Americans with Disabilities Act claims after being granted leave to proceed without prepaying fees or costs. Before service on the defendant, she moved for a preliminary injunction, judicial notice, and protective relief.
STANDARD OF REVIEW	The Court applied the procedural requirements of Federal Rule of Civil Procedure 65(a)(1) to the preliminary-injunction motion and Rule 65(b)(1) to the construed temporary-restraining-order motion. It applied Federal Rule of Evidence 201(b) and (f) to the judicial-notice motion.
PRECEDENTIAL VALUE	Unknown

TOPICS

injunctions evidence civil procedure ada / disability

PRACTICE AREAS

civil procedure civil rights disability discrimination injunctive relief evidence

QUESTIONS PRESENTED

1. Whether the Court could grant Rose's preliminary-injunction motion before the State of Illinois had been served or otherwise given notice.
2. Whether Rose established facts eligible for judicial notice under Federal Rule of Evidence 201.
3. Whether Rose satisfied the procedural prerequisites for an ex parte temporary restraining order under Federal Rule of Civil Procedure 65(b)(1).

HOLDINGS

1. A preliminary injunction could not be issued because Federal Rule of Civil Procedure 65(a)(1) requires notice to the adverse party, and Illinois had not been served or otherwise shown to have notice.
2. Judicial notice was improper because the facts identified by Rose were either subject to reasonable dispute or unsupported by evidence establishing that they were generally known or capable of accurate and ready determination from an unquestionable source.
3. Rose was not entitled to a temporary restraining order because her motion did not set forth specific facts showing immediate and irreparable injury before the adverse party could be heard and did not certify her efforts to provide notice or explain why notice should not be required.

KEY QUOTATIONS

“Judicial notice is a powerful tool that must be used with caution.”

“As such, Rose’s motion for a preliminary injunction is denied without prejudice.”

FACTUAL BACKGROUND

Rose alleged that proceedings in several Illinois state-court cases had been delayed or mishandled and that she had been denied or unable to obtain disability-related accommodations. She sought orders compelling the scheduling of state-court hearings, preventing alleged obstruction, requiring ADA-compliant proceedings and courthouse doors, and providing other broad protective relief. Illinois had not yet been served, and Rose did not provide evidence sufficient to establish that the facts for which she sought judicial notice were beyond reasonable dispute.

PROCEDURAL HISTORY

Rose filed suit against the State of Illinois alleging discrimination in the provision of public services and retaliation under the ADA. The Court granted her application to proceed without prepaying fees or costs, but

Illinois had not been served when the Court considered her motions. The Court denied all three motions without prejudice.

DISPOSITION

other

CASES CITED

- Gen. Elec. Cap. Corp. v. Lease Resol. Corp., 128 F.3d 1074, 1081 (7th Cir. 1997)
- Hennessy v. Penril Datacomm Networks, Inc., 69 F.3d 1344, 1354 (7th Cir. 1995)
- 520 South Michigan Ave. Associates, Ltd. v. Shannon, 549 F.3d 1119, n. 14 (7th Cir. 2008)
- Shahar v. Bowers, 120 F.3d 211, 214 (11th Cir. 1997)
- Daniel v. Cook County, 833 F.3d 728, 742 (7th Cir. 2016)

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