

SUPREME COURT OF IOWA

Patrick Alan Ney v. John Glenn Ney

No. 16-1323 · No. No. 16-1323 · Decided March 10, 2017

SUMMARY

The Iowa Supreme Court considered whether the district court had subject matter jurisdiction to enter and enforce a consent injunction prohibiting two brothers from contacting each other. The court held that the district court had equitable jurisdiction to issue the injunction and that Iowa Code section 664A.2(2) did not limit that jurisdiction under the circumstances. The court reversed the dismissal and remanded for further proceedings.

CASE DETAILS

COURT	Supreme Court of Iowa
JURISDICTION	Iowa
DECIDED	March 10, 2017
DOCKET	No. 16-1323
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Patrick appealed the Iowa District Court's dismissal of his contempt proceeding for lack of subject matter jurisdiction. The Supreme Court of Iowa retained the appeal and reviewed whether the district court had jurisdiction to issue and enforce the parties' stipulated no-contact injunction.
STANDARD OF REVIEW	Subject-matter-jurisdiction and motion-to-dismiss rulings are reviewed for correction of errors at law. In reviewing the propriety of an injunction, the court gives weight to the district court's factual findings.
PRECEDENTIAL VALUE	published
PARTIES	Patrick Alan Ney v. John Glenn Ney

TOPICS

- subject matter jurisdiction
- injunctions
- equitable relief
- statutory interpretation
- appellate procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the Iowa District Court had equitable subject matter jurisdiction to issue an injunction prohibiting personal contact, harassment, and trespass between the parties.
2. Whether Iowa Code section 664A.2(2) limited the district court's equitable jurisdiction to issue the stipulated injunction.
3. Whether the stipulated injunction was valid and enforceable through contempt proceedings.

HOLDINGS

1. The district court had equitable subject matter jurisdiction to issue an injunction protecting Patrick's personal rights against harassment and assault and his property rights against trespass.
2. Iowa Code section 664A.2(2) does not eliminate or limit the district court's equitable jurisdiction to issue an injunction outside the statutory protective-order contexts identified in chapter 664A.
3. The district court had authority to issue the injunction through a consent judgment, and the injunction was not void for lack of subject matter jurisdiction; the contempt proceeding therefore could not be dismissed on that jurisdictional ground.

KEY QUOTATIONS

“This distinction is important because although a statute cannot deprive a court of its constitutionally granted subject matter jurisdiction, it can affect the jurisdiction of the case by prescribing specific parameters of the court’s authority to rule on particular types of matters.” (at 10-11)

“Neither does it curtail the court’s power or authority to issue injunctions pursuant to the district court’s equitable jurisdiction, for they are not among the scenarios for which a “protective order” is authorized under chapter 664A.” (at 12)

“Thus, we reverse the district court ruling dismissing the action and remand for further proceedings consistent with this opinion.” (at 13)

FACTUAL BACKGROUND

Patrick and John Ney are brothers whose relationship was acrimonious. Patrick alleged that John had assaulted and harassed him and his family, trespassed on his property, and entered his home while intoxicated. In 2012, the brothers stipulated to an order prohibiting threats, abuse, contact, and entry onto each other's property. Patrick later alleged that John repeatedly violated the order, including by engaging in abusive contact and threatening to pull a firearm.

PROCEDURAL HISTORY

Patrick filed a petition for injunctive relief in 2012 based on alleged harassment, assault, and trespass by John. The parties stipulated to no-contact terms, and the district court entered a consent injunction. After Patrick sought contempt sanctions for alleged violations, the district court dismissed the proceeding, concluding that the

2012 injunction was void because Iowa Code section 664A.2(2) limited the court's authority to issue protective orders. The Supreme Court of Iowa reversed and remanded.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The case was remanded for further proceedings consistent with the opinion, including consideration of Patrick's contempt application. Costs of the appeal were taxed to the appellee.

CASES CITED

- Schaefer v. Putnam, 841 N.W.2d 68, 74, 80 n.13 (Iowa 2013)
- Hedlund v. State, 875 N.W.2d 720, 724 (Iowa 2016)
- Matlock v. Weets, 531 N.W.2d 118, 122-23 (Iowa 1995)
- Sear v. Clayton Cty. Zoning Bd. of Adjustment, 590 N.W.2d 512, 515 (Iowa 1999)
- Max 100 L.C. v. Iowa Realty Co., 621 N.W.2d 178, 181 (Iowa 2001)
- In re Marriage of Gallagher, 539 N.W.2d 479, 481 (Iowa 1995)
- In re Langholz, 887 N.W.2d 770, 779 (Iowa 2016)
- Opat v. Ludeking, 666 N.W.2d 597, 605 (Iowa 2003)
- Usailis v. Jasper, 222 Iowa 1360, 1363, 271 N.W. 524, 526 (1937)
- Hall v. Henninger, 145 Iowa 230, 237-38, 121 N.W. 6, 8-9 (1909)
- Berry Seed Co. v. Hutchings, 247 Iowa 417, 422, 74 N.W.2d 233, 236 (1956)
- Martin v. Beaver, 238 Iowa 1143, 1148, 1150, 29 N.W.2d 555, 558-59 (1947)
- World Teacher Seminar, Inc. v. Iowa Dist. Ct., 406 N.W.2d 173, 176-77 (Iowa 1987)
- In re Prop. Seized on or About Nov. 14-15, 1989, 501 N.W.2d 482, 485 (Iowa 1993)
- FTC v. Lane Labs-USA, Inc., 624 F.3d 575, 584-85 (3d Cir. 2010)
- United States v. Quade, 563 F.2d 375, 378-79 (8th Cir. 1977)
- Bank v. Bank, 23 A.2d 700, 705 (Md. 1942)
- Siggelkow v. State, 731 P.2d 57, 60-62 (Alaska 1987)
- Alliant Energy-Interstate Power & Light Co. v. Duckett, 732 N.W.2d 869, 874 n.4 (Iowa 2007)
- Christie v. Rolscreen, 448 N.W.2d 447, 450 (Iowa 1989)
- Mensch v. Netty, 408 N.W.2d 383, 386 (Iowa 1987)
- In re Marriage of Seyler, 559 N.W.2d 7, 10 n.3 (Iowa 1997)
- State v. Mandicino, 509 N.W.2d 481, 482-83 (Iowa 1993)