

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF HAWAI‘I

Samuel Noah Keoni Levitz v. Federal Home Loan Mortgage Corporation

Levitz · No. 25-cv-00339-DKW-WRP · Decided December 23, 2025

SUMMARY

The United States District Court for the District of Hawai‘i dismissed Samuel Noah Keoni Levitz’s complaint challenging a state-court foreclosure judgment against Federal Home Loan Mortgage Corporation. The court held that the claims were barred by the Rooker-Feldman doctrine and dismissed the case without leave to amend, while denying Levitz’s emergency motion for a temporary restraining order and sanctions motion. The court also denied without prejudice motions to declare Levitz a vexatious litigant and to expunge a notice filed with Hawai‘i’s Bureau of Conveyances.

CASE DETAILS

COURT	United States District Court for the District of Hawai‘i
WRITING FOR THE COURT	Derrick K. Watson
JURISDICTION	United States District Court for the District of Hawai‘i
DECIDED	December 23, 2025
DOCKET	25-cv-00339-DKW-WRP
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff brought a federal action seeking relief arising from, and effectively seeking to invalidate, a state-court judgment of foreclosure. Defendant moved to dismiss for lack of subject matter jurisdiction under Federal Rule of Civil Procedure 12(b)(1) and the Rooker-Feldman doctrine. Plaintiff also moved for a temporary restraining order and sanctions; Defendant moved to declare Plaintiff a vexatious litigant; and nonparty SSL Partners LLC moved to expunge a notice filed with the Hawai‘i Bureau of Conveyances.
STANDARD OF REVIEW	On a Rule 12(b)(1) jurisdictional challenge, the district court may hear evidence concerning jurisdiction, resolve factual disputes where necessary, and independently evaluate jurisdictional claims without attaching presumptive truthfulness to the plaintiff's allegations. A temporary restraining order requires the plaintiff to establish the Winter factors.

PRECEDENTIAL VALUE	Unknown
PARTIES	Samuel Noah Keoni Levitz v. Federal Home Loan Mortgage Corporation (Freddie Mac)

TOPICS

subject matter jurisdiction civil procedure injunctions sanctions lis pendens

PRACTICE AREAS

Civil procedure Real property Foreclosure Remedies

QUESTIONS PRESENTED

1. Whether the Complaint was barred by the Rooker-Feldman doctrine because it sought federal district court review or nullification of a state-court foreclosure judgment.
2. Whether Plaintiff should be granted leave to amend after dismissal for lack of subject matter jurisdiction.
3. Whether Plaintiff was entitled to a temporary restraining order.
4. Whether sanctions should be imposed against Defendant's counsel under Federal Rule of Civil Procedure 11.
5. Whether Defendant established grounds for declaring Plaintiff a vexatious litigant and restricting his future filings.
6. Whether the federal district court had authority under Hawai'i law to expunge a notice filed with the State of Hawai'i's Bureau of Conveyances.

HOLDINGS

1. The Complaint was barred by Rooker-Feldman because Plaintiff was a state-court loser complaining of injuries caused by a state-court foreclosure judgment and sought to render that judgment void or cancel it.
2. Plaintiff's assertion of extrinsic fraud did not avoid Rooker-Feldman because the Complaint's actual objective was to reject the state foreclosure judgment, and the alleged fraud was attributed to an entity not named as a defendant.
3. Dismissal without leave to amend was warranted because Plaintiff had previously been apprised of the defect and further amendment would be futile.
4. The temporary restraining order was denied because, following dismissal of all claims, Plaintiff could not show a likelihood of success on the merits.
5. The court denied SSL Partners LLC's motion to expunge without prejudice because Hawai'i Revised Statutes section 507D-7(a) authorizes a State circuit court, not this federal district court, to order expungement of an instrument filed with the Bureau of Conveyances.

6. Sanctions were denied because Plaintiff identified no authority requiring counsel to verify his retention, showed no prejudice from alleged service deficiencies, and provided no support for an improper-purpose or Rule 11 violation.

KEY QUOTATIONS

“Essentially, the doctrine bars state-court losers complaining of injuries caused by state-court judgments rendered before the district court proceedings commenced from asking district courts to review and reject those judgments.” (5)

“Dismissals under the Rooker-Feldman doctrine ... are dismissals for lack of subject matter jurisdiction, and thus should be without prejudice.” (7)

FACTUAL BACKGROUND

Levitz filed another federal action concerning a foreclosure of real property in Hale‘iwa, O‘ahu, Hawai‘i, seeking to render the state-court foreclosure judgment void or cancel it and seeking damages based on the allegedly wrongful foreclosure. The Complaint also characterized the alleged defects in PNC Bank’s mortgage assignment and standing as grounds to invalidate the foreclosure. During the case, Levitz filed a notice of claim of interest affecting title with the Hawai‘i Bureau of Conveyances, while SSL Partners LLC sought to expunge that notice.

PROCEDURAL HISTORY

The district court granted Defendant’s motion to dismiss, dismissed the Complaint without leave to amend and without prejudice for lack of subject matter jurisdiction, denied Plaintiff’s emergency motion for a temporary restraining order and sanctions motion, denied without prejudice Defendant’s vexatious-litigant motion, and denied without prejudice SSL Partners LLC’s motion to expunge. The Clerk was directed to enter judgment for Defendant and administratively close the case.

DISPOSITION

dismissed

CASES CITED

- Rooker v. Fidelity Trust Co., 263 U.S. 413 (1923)
- District of Columbia Court of Appeals v. Feldman, 460 U.S. 462 (1983)
- Fontana Empire Center, LLC v. City of Fontana, 307 F.3d 987, 992 (9th Cir. 2002)
- Augustine v. United States, 704 F.2d 1074, 1077 (9th Cir. 1983)
- Winter v. Natural Resources Defense Council, Inc., 555 U.S. 7, 20 (2008)
- Eldridge v. Block, 832 F.2d 1132, 1137 (9th Cir. 1987)
- Lucas v. Department of Corrections, 66 F.3d 245, 248 (9th Cir. 1995)
- Gardner v. Martino, 563 F.3d 981, 990 (9th Cir. 2009)
- Leadsinger, Inc. v. BMG Music Publishing, 512 F.3d 522, 532 (9th Cir. 2008)

- Stuhlberg International Sales Co., Inc. v. John D. Brush & Co., Inc., 240 F.3d 832, 839 n.7 (9th Cir. 2001)
- Bianchi v. Rylaarsdam, 334 F.3d 895, 898 (9th Cir. 2003)
- Henrichs v. Valley View Development, 474 F.3d 609, 613 (9th Cir. 2007)
- Albrecht v. Demuniz, 315 F. App'x 654, 654 (9th Cir. 2009)
- Ringgold-Lockhart v. County of Los Angeles, 761 F.3d 1057, 1062 (9th Cir. 2014)
- Ringgold-Lockhart v. County of Los Angeles, 761 F.3d 1057, 1065 (9th Cir. 2014)

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