

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
MISSISSIPPI, EASTERN DIVISION

Jackie Osborne v. Rocket Mortgage, LLC and AMROCK, LLC

Osborne · No. 2:24-cv-101-TMB-RPM · Decided December 10, 2025

SUMMARY

The United States District Court for the Southern District of Mississippi denied Jackie Osborne’s motion for relief from judgment under Federal Rule of Civil Procedure 60(b)(1), (2), and (6). The court held that Osborne’s alleged lack of notice, purportedly newly discovered evidence concerning a refinancing, and equitable arguments did not satisfy the requirements for reopening the case. The court also deemed the defendants’ motion for judicial notice moot.

CASE DETAILS

COURT	United States District Court for the Southern District of Mississippi, Eastern Division
WRITING FOR THE COURT	Taylor B. McNeel
JURISDICTION	United States District Court for the Southern District of Mississippi, Eastern Division
DECIDED	December 10, 2025
DOCKET	2:24-cv-101-TMB-RPM
DISPOSITION	denied
PROCEDURAL POSTURE	Plaintiff moved under Federal Rule of Civil Procedure 60(b)(1), (2), and (6) for relief from the final judgment dismissing her claims with prejudice and for leave to amend. The district court denied the motion and found the defendants' motion for judicial notice moot.
STANDARD OF REVIEW	The district court applied the Rule 60(b) standards and exercised considerable discretion in determining whether relief from judgment was warranted. Relief under Rule 60(b) is extraordinary and should be granted only when the applicable requirements are satisfied.
PRECEDENTIAL VALUE	unpublished district court memorandum opinion

TOPICS

- motion for reconsideration
- civil procedure
- title disputes
- remedies

PRACTICE AREAS

civil procedure

real estate

remedies

QUESTIONS PRESENTED

1. Whether Osborne was entitled to relief under Rule 60(b)(1) based on allegedly failing to receive notice of the court's ruling because of a post-office mail dispute.
2. Whether Osborne was entitled to relief under Rule 60(b)(2) based on allegedly newly discovered evidence concerning defendants' roles in the 2022 refinancing.
3. Whether Osborne was entitled to relief under Rule 60(b)(6) based on lack of notice, the asserted right to seek reconsideration or appeal, and the alleged incorrectness of the prior judgment.
4. Whether Osborne should receive leave to amend after the judgment was entered.

HOLDINGS

1. Relief was not warranted under Rule 60(b)(1) because Osborne did not show mistake, inadvertence, surprise, or excusable neglect that produced or contributed to the entry of the judgment. Her alleged failure to receive notice after judgment, coupled with her failure to inquire about the case status, was insufficient.
2. Relief was not warranted under Rule 60(b)(2) because Osborne failed to show material, controlling, genuinely newly discovered evidence that could not have been discovered with reasonable diligence and that would have produced a different result.
3. Relief was not warranted under Rule 60(b)(6) because Osborne's lack-of-notice theory was duplicative of her Rule 60(b)(1) theory, and she otherwise failed to demonstrate extraordinary circumstances or a meritorious basis for disturbing the judgment.

KEY QUOTATIONS

“Reconsideration of a judgment after its entry is an extraordinary remedy that should be used sparingly.”
(Section II)

“Rule 60(b)(6) as “a grand reservoir of equitable power to do justice in a particular case when relief is not warranted by the preceding clauses, [but] we have also narrowly circumscribed its availability, holding that Rule 60(b)(6) relief will be granted only if extraordinary circumstances are present.”” (Section II.C)

FACTUAL BACKGROUND

Osborne purchased 8.79 acres from Allan Pearson in April 2021 and later refinanced the loan through Rocket Mortgage in April 2022, obtaining title insurance from AMROCK. In March 2023, Pearson recorded a corrected warranty deed asserting that only 6.25 acres were intended to be conveyed and filed a state-court reformation action involving Osborne and Rocket Mortgage. Osborne subsequently sued Rocket Mortgage and AMROCK for claims including negligence, cloud on title, breach of contract, and related torts, but the federal court dismissed the action because the defendants' refinancing-related conduct did not support the asserted claims.

PROCEDURAL HISTORY

Osborne sued Rocket Mortgage, LLC and AMROCK, LLC over events involving a property purchase, subsequent deed-reformation litigation, and a 2022 refinancing. The court previously granted defendants' motion to dismiss for failure to plead sufficient facts and entered final judgment. Osborne then sought relief from that judgment, asserting lack of notice, newly discovered evidence, and other equitable grounds under Rule 60(b).

DISPOSITION

denied

CASES CITED

- Adger v. TA Operating, L.L.C., No. 24-30530, 2025 WL 1276406, at *6 (5th Cir. May 2, 2025)
- Templet v. HydroChem Inc., 367 F.3d 473, 477, 479 (5th Cir. 2004)
- Bahsoon v. Wells Fargo Bank, NA, No. 3:12-cv-2017-D, 2013 WL 1831786, at *1 (N.D. Tex. May 1, 2013)
- Kincaid v. Minact-Yates, LLC, No. CIV. A 3:05-cv-550-HTW-LRA, 2010 WL 383358 (S.D. Miss. Jan. 27, 2010)
- Lavespere v. Niagara Mach. & Tools Works, Inc., 910 F.2d 167, 173 (5th Cir. 1990)
- Pryor v. United States Postal Serv., 769 F.2d 281, 287 (5th Cir. 1985)
- Wilson v. Atwood Group, 725 F.2d 255, 257-58 (5th Cir. 1984)
- Hill v. McDermott, Inc., 827 F.2d 1040, 1043 (5th Cir. 1987)
- Cartman v. Hunt County, No. 3:15-cv-481-SAL, 2015 WL 3794448, at *2 (N.D. Tex. June 18, 2015)
- Edward H. Bohlin Co., Inc. v. Banning Co., Inc., 6 F.3d 350, 357 (5th Cir. 1993)
- Padgett v. United States, 272 F.2d 774 (5th Cir. 1959)
- Goldstein v. MCI WorldCom, 340 F.3d 238, 257 (5th Cir. 2003)
- Batts v. Tow-Motor Forklift Co., 66 F.3d 743, 747 (5th Cir. 1995)
- Hesling v. CSX Transportation, Inc., 396 F.3d 632, 642-43 (5th Cir. 2005)
- Pease v. Pakhoed Corp., 980 F.2d 995, 998 (5th Cir. 1993)