

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
VIRGINIA, HARRISONBURG DIVISION

Kimberly Wood v. Shenandoah County Board of Supervisors et al.

Civil Action No. 5:26-cv-00055 (W.D. Va. May 13, 2026) · No. 5:26-cv-00055 · Decided May 13, 2026

SUMMARY

The United States District Court for the Western District of Virginia grants Kimberly Wood’s application to proceed in forma pauperis but denies her motions for a temporary restraining order and preliminary injunction. The court concludes that Wood failed to satisfy the notice requirements for a Rule 65(b) TRO and did not make the required clear showing of likely success on the merits or irreparable harm. The underlying allegations concern purportedly defective land records, tax parcel identifiers, and an attempted foreclosure of her property.

CASE DETAILS

COURT	United States District Court for the Western District of Virginia, Harrisonburg Division
WRITING FOR THE COURT	Jasmine H. Yoon
JURISDICTION	United States District Court for the Western District of Virginia, Harrisonburg Division
DECIDED	May 13, 2026
DOCKET	5:26-cv-00055
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for leave to proceed in forma pauperis and for a temporary restraining order and preliminary injunction in an action involving alleged irregularities in property records and foreclosure proceedings.
STANDARD OF REVIEW	A movant seeking a temporary restraining order without notice must satisfy Federal Rule of Civil Procedure 65(b)(1), including a showing through specific facts of immediate and irreparable injury and written certification concerning notice. A preliminary injunction requires a clear showing of likelihood of success on the merits and likely irreparable harm, along with consideration of the balance of equities and the public interest.
PRECEDENTIAL VALUE	unpublished district court memorandum opinion; persuasive only

PARTIES

Kimberly Wood v. Shenandoah County Board of Supervisors et al.

TOPICS

injunctions

foreclosure

equitable relief

civil procedure

constitutional law

PRACTICE AREAS

civil procedure

real estate litigation

constitutional law

municipal law

equitable remedies

QUESTIONS PRESENTED

1. Whether Wood satisfied the procedural requirements for a temporary restraining order without notice under Federal Rule of Civil Procedure 65(b)(1).
2. Whether Wood established the four Winter factors required for a preliminary injunction.
3. Whether Wood made a clear showing of likely success on the merits and likely irreparable harm based on her allegations and submitted evidence.
4. Whether Wood was entitled to proceed in forma pauperis under 28 U.S.C. § 1915(a)(1).

HOLDINGS

1. A movant seeking a temporary restraining order without notice must identify specific facts showing immediate and irreparable injury before the adverse party can be heard and must provide written certification of efforts to give notice and reasons notice should not be required. Wood satisfied neither requirement, so the TRO was denied.
2. A preliminary injunction requires a clear showing of likelihood of success on the merits, likely irreparable harm, a favorable balance of equities, and consistency with the public interest. Wood failed to make the required showing, so preliminary injunctive relief was denied.
3. A plaintiff seeking a preliminary injunction generally cannot rely solely on allegations in the complaint but must present evidence showing a likelihood of success on the merits.
4. Wood was entitled to proceed in forma pauperis under 28 U.S.C. § 1915(a)(1) based on the representations in her application.

KEY QUOTATIONS

“A plaintiff seeking a preliminary injunction generally cannot rely on mere allegations in the complaint but must come forward with some evidence showing a likelihood of success on the merits.”

“Even when liberally construing Wood’s pro se filings, the court is unable to find that she is entitled to the “extraordinary remedy” of a preliminary injunction.”

FACTUAL BACKGROUND

Wood sought to enjoin alleged foreclosure-related conduct involving her home and asserted that government officials and other entities were using fraudulent land records, manipulating tax-map identifiers and benefit

programs, and relying on defective title information. Her filings referred to a purported “Shadow Parcel” and alleged conspiracies involving property parcels, but the attached deeds, surveys, foreclosure documents, county reports, and related communications did not substantiate those allegations. A foreclosure notice identified Tax ID 016A202 as the property subject to sale, while an April 3, 2026 letter stated that Wood was not a borrower on the relevant HECM loan and that Bank of America was not attempting to foreclose on the property.

PROCEDURAL HISTORY

Wood filed a complaint, amended complaint, and motion for a temporary restraining order and preliminary injunction. The court granted leave to proceed in forma pauperis but denied both forms of injunctive relief.

DISPOSITION

other

CASES CITED

- Sci. Sys. & Applications, Inc. v. United States, No. PWG-14-2212, 2014 WL 3672908, at *3 (D. Md. July 24, 2014)
- Heartland, Inc. v. U.S. Postal Serv., No. 3:08-cv-00021, 2008 WL 1711406, at *1 (W.D. Va. Apr. 11, 2008)
- Winter v. Natural Resources Defense Council, 555 U.S. 7, 20-23 (2008)
- Direx Israel, Ltd. v. Breakthrough Med. Corp., 952 F.2d 802, 811-12 (4th Cir. 1991)
- Di Biase v. SPX Corp., 872 F.3d 224, 230 (4th Cir. 2017)
- Real Truth About Obama, Inc. v. Fed. Election Comm’n, 575 F.3d 342, 345, 347 (4th Cir. 2009), vacated on other grounds by 559 U.S. 1089 (2010), reinstated in relevant part on remand by 607 F.3d 355 (4th Cir. 2010) (per curiam)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Weller v. Dep’t of Soc. Servs., 901 F.2d 387, 391 (4th Cir. 1990)
- Bing v. Brivo Sys., LLC, 959 F.3d 605, 618 (4th Cir. 2020)
- Mahmoud v. McKnight, 102 F.4th 191, 203 (4th Cir. 2024), rev’d on other grounds by Mahmoud v. Taylor, 606 U.S. 522 (2025)
- Mahmoud v. Taylor, 606 U.S. 522 (2025)
- J.O.P. v. U.S. Dep’t of Homeland Sec., 338 F.R.D. 33, 60 (D. Md. 2020)
- Tucker Anthony Realty Corp. v. Schlesinger, 888 F.2d 969, 975 (2d Cir. 1989)
- Parker v. Am. Brokers Conduit, No. CV JKB-15-3652, 2015 WL 7751664, at *2 (D. Md. Dec. 1, 2015)