

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF  
INDIANA, HAMMOND DIVISION

State of Indiana v. Aaron Blocker

Blocker · No. 2:25-cv-00152 · Decided March 2, 2026

SUMMARY

The United States District Court for the Northern District of Indiana denied Aaron Blocker’s motion under Federal Rule of Civil Procedure 59(e) to alter or amend its prior order remanding his attempted removal of state criminal proceedings. The court held that Blocker’s allegations did not satisfy the requirements for removal under 28 U.S.C. § 1443(1), and that the later dismissal of the state charges did not establish newly discovered evidence warranting relief. The opinion also reiterates the standards governing Rule 59(e) motions.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                     |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Northern District of Indiana, Hammond Division                                                                                                                                                                                                                                                 |
| WRITING FOR THE COURT | James T. Moody                                                                                                                                                                                                                                                                                                                      |
| JURISDICTION          | United States District Court for the Northern District of Indiana, Hammond Division                                                                                                                                                                                                                                                 |
| DECIDED               | March 2, 2026                                                                                                                                                                                                                                                                                                                       |
| DOCKET                | 2:25-cv-00152                                                                                                                                                                                                                                                                                                                       |
| DISPOSITION           | dismissed                                                                                                                                                                                                                                                                                                                           |
| PROCEDURAL POSTURE    | After remanding Blocker's attempted removal of his state criminal prosecution under 28 U.S.C. § 1443(1), the federal district court considered and denied his Federal Rule of Civil Procedure 59(e) motion to alter or amend the judgment.                                                                                          |
| STANDARD OF REVIEW    | A Rule 59(e) motion may be granted only upon a showing of manifest error of law or newly discovered evidence. A manifest error requires a wholesale disregard, misapplication, or failure to recognize controlling precedent; the court will not consider new arguments or evidence that could have been presented before judgment. |
| PRECEDENTIAL VALUE    | District court opinion; precedential status is not stated in the source.                                                                                                                                                                                                                                                            |
| PARTIES               | State of Indiana v. Aaron Blocker                                                                                                                                                                                                                                                                                                   |

## TOPICS

motion for reconsideration

subject matter jurisdiction

civil rights

federalism

criminal procedure

## PRACTICE AREAS

civil procedure

civil rights

federal jurisdiction

## QUESTIONS PRESENTED

1. Whether Blocker demonstrated a manifest error of law or newly discovered evidence warranting alteration or amendment of the prior judgment under Federal Rule of Civil Procedure 59(e).
2. Whether dismissal of the state criminal proceedings supplied a basis to alter the prior determination that removal under 28 U.S.C. § 1443(1) was improper.

## HOLDINGS

1. Blocker did not demonstrate a manifest error of law because his motion largely reiterated arguments that had already been rejected and did not show wholesale disregard, misapplication, or failure to recognize controlling precedent.
2. The dismissal of the state criminal proceedings did not warrant alteration of the judgment because, once no state criminal prosecution existed, there was no state criminal prosecution to remove under 28 U.S.C. § 1443(1).
3. Blocker's allegations did not justify removal under § 1443(1): rights under laws providing equal civil rights are limited to rights specifically defined in terms of racial equality, and his equal-access claim did not satisfy the statute because he could not show that the right could not be enforced in state court.

## KEY QUOTATIONS

*“Rule 59(e) allows a court to alter or amend a judgment only if the [litigant] can demonstrate a manifest error of law or present newly discovered evidence.”*

*“A ‘manifest error’ is not demonstrated by the disappointment of the losing party.”*

*“Rather, the movant must show a “wholesale disregard, misapplication, or failure to recognize controlling precedent.””*

*“if no state criminal prosecution exists, there is no state criminal prosecution to remove to federal court under Section 1443(1).” (2)*

## FACTUAL BACKGROUND

In January 2025, Aaron Blocker was arrested after an interaction with store employees at a Firehouse Subs in Hobart, Indiana. He was charged in Hobart City Court with refusal to identify himself and trespassing. Blocker alleged that the state proceedings moved too slowly, that his arrest violated due process, and that he was denied equal access to a public space. By the time of his Rule 59(e) motion, the state criminal proceedings had been dismissed.

## PROCEDURAL HISTORY

Blocker was charged in Hobart City Court with refusal to identify himself and trespassing. He attempted to remove the state criminal proceedings to federal court under 28 U.S.C. § 1443(1). The district court previously held removal improper and remanded the matter to state court. Blocker then moved under Rule 59(e), asserting legal error and newly discovered evidence based on dismissal of the state criminal proceedings; the court denied the motion.

## DISPOSITION

dismissed

## CASES CITED

- Johnson v. Mississippi, 421 U.S. 213, 219 (1975)
- Georgia v. Rachel, 384 U.S. 780, 788 (1966)
- Fenton v. Dudley, 761 F.3d 770, 773 (7th Cir. 2014)
- Obriecht v. Raemisch, 517 F.3d 489, 494 (7th Cir. 2008)
- Oto v. Metro. Life Ins. Co., 224 F.3d 601, 606 (7th Cir. 2000)
- Banister v. Davis, 590 U.S. 504, 508 (2020)

## OPINION

Blocker

PER CURIAM.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF INDIANA

HAMMOND DIVISION

STATE OF INDIANA, )

) Plaintiff, ) ) v. ) No. 2:25 CV 152 )

AARON BLOCKER, )

) Defendant. ) OPINION and ORDER In January of 2025, plaintiff Aaron Blocker was arrested after an interaction with store employees at a Firehouse Subs in Hobart, Indiana. Blocker was charged with refusal to identify himself and trespassing in Hobart City Court. He alleges that his state criminal case proceeded too slowly through the state court system and that he has been denied due process and was improperly arrested. He also alleges that he was denied access to a public space in violation of civil rights laws. Blocker attempted to bring his state criminal proceedings case into federal court under 28 U.S.C. § 1443(1), which permits removal of a state criminal prosecution “[a]gainst any person who is denied or cannot enforce in the courts of such State a right under any law providing for the equal civil rights of citizens of the United States, or of all persons within the jurisdiction thereof.” This court held that Blocker’s attempt to use Section 1443(1) in this case was improper, and remanded the matter to the state court. (DE # 4.)

Specifically, the court stated that most of Blocker's allegations failed to justify the employment of Section 1443(1) because "law[s] providing for equal civil rights" under the statute are limited to "rights specifically defined in terms of racial equality." *Johnson v. Mississippi*, 421 U.S. 213, 219 (1975); *Georgia v. Rachel*, 384 U.S. 780, 788 (1966); *Fenton v. Dudley*, 761 F.3d 770, 773 (7th Cir. 2014). As for Blocker's claim regarding his right of equal access to public spaces, the court held this issue was not properly before the court under Section 1443(1) because Blocker could not show that he could not enforce the right in state court. *Rachel*, 384 U.S. at 788. Blocker has moved under Federal Rule of Civil Procedure 59(e) to alter the judgment. (DE # 5.) "Rule 59(e) allows a court to alter or amend a judgment only if the [litigant] can demonstrate a manifest error of law or present newly discovered evidence." *Obriecht v. Raemisch*, 517 F.3d 489, 494 (7th Cir. 2008). "A 'manifest error' is not demonstrated by the disappointment of the losing party." *Oto v. Metro. Life Ins. Co.*, 224 F.3d 601, 606 (7th Cir. 2000). Rather, the movant must show a "wholesale disregard, misapplication, or failure to recognize controlling precedent." *Id.* Additionally, "courts will not address new arguments or evidence that the moving party could have raised before the decision issued." *Banister v. Davis*, 590 U.S. 504, 508 (2020). In his motion, Blocker mostly reiterates the injustices he claims to have suffered. (DE # 5 at 7.) These arguments fail for the reasons set forth in the court's prior order. (DE # 4.) Blocker also claims that "newly discovered evidence" exists, because state court criminal proceedings have been dismissed. (DE # 5 at 7-8.) This simply reaffirms the court's holding that Section 1443(1) cannot be employed to justify jurisdiction over 2 this matter; if no state criminal prosecution exists, there is no state criminal prosecution to remove to federal court under Section 1443(1). For the foregoing reasons, Blocker's Rule 59(e) motion is DENIED. (DE # 5.) SO ORDERED. Date: March 2, 2026 s/James T. Moody

JUDGE JAMES T. MOODY

UNITED STATES DISTRICT COURT

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