

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Curtis Austin v. JMK Investments, Inc., JMK Crosswood, LLC, and
Does 1-10

Austin v. JMK Investments · No. 2:25-cv-02966-TLN-SCR · Decided October 14, 2025

SUMMARY

The United States District Court for the Eastern District of California denied Curtis Austin’s emergency motion for a temporary restraining order seeking to stay his state-court eviction. The court held that it lacked subject-matter jurisdiction because the action effectively challenged a state-court judgment, the state court had custody of the property, and the Anti-Injunction Act barred the requested relief; it also found that Austin had not shown a likelihood of success on the merits.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	October 14, 2025
DOCKET	2:25-cv-02966-TLN-SCR
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed a pro se civil-rights action under 42 U.S.C. § 1983 and an emergency motion for a temporary restraining order seeking to stay enforcement of a state-court eviction judgment and writ of possession.
STANDARD OF REVIEW	A TRO is governed by the same standard as a preliminary injunction. The movant must establish likelihood of success on the merits, likely irreparable harm, that the balance of equities favors relief, and that an injunction is in the public interest; all four Winter prongs must be shown, subject to the Ninth Circuit's sliding-scale approach.
PRECEDENTIAL VALUE	unpublished district court order; nonprecedential
PARTIES	Curtis Austin v. JMK Investments, Inc., JMK Crosswood, LLC, Does 1-10

TOPICS

- injunctions
- subject matter jurisdiction
- civil procedure
- eviction
- landlord tenant

PRACTICE AREAS

civil procedure

civil rights

constitutional law

real estate

remedies

QUESTIONS PRESENTED

1. Whether the federal district court had subject-matter jurisdiction over Plaintiff's challenge to a state-court unlawful-detainer judgment and writ of possession.
2. Whether the court could enjoin enforcement of the state-court eviction under the Rooker-Feldman doctrine, the Colorado River property-custody principle, or the Anti-Injunction Act.
3. Whether Plaintiff established the likelihood of success and other requirements necessary for a temporary restraining order.

HOLDINGS

1. Plaintiff did not state a cognizable federal claim against the named defendants because he alleged constitutional violations by the Sacramento County Superior Court, not by the private defendants, and did not attribute specific conduct to the Doe defendants.
2. The federal court lacked subject-matter jurisdiction over Plaintiff's request to prevent enforcement of, or render void, the state-court unlawful-detainer judgment and writ of possession because the action was effectively a de facto appeal from a state-court judgment.
3. The court was required to abstain from exercising jurisdiction because the state unlawful-detainer action and the federal action involved the same property, over which the state court had first assumed custody.
4. The Anti-Injunction Act prohibited the court from enjoining enforcement of the Sacramento County Superior Court's unlawful-detainer judgment and writ of possession, and none of the statutory exceptions applied.
5. Plaintiff failed to establish the likelihood of success on the merits required for a TRO, and therefore the emergency motion could not be granted even apart from the jurisdictional defects.

KEY QUOTATIONS

"Without a federal question to decide in this case, the Court does not have subject matter jurisdiction." (at 3)

"It is well-settled that federal courts lack "subject matter jurisdiction over a suit that is a de facto appeal from a state court judgment."" (at 3-4)

"The forum first assuming custody of the property at issue has exclusive jurisdiction to proceed." (at 4)

"For the foregoing reasons, Plaintiff's Emergency Motion for Temporary Restraining Order is DENIED." (at 5)

FACTUAL BACKGROUND

The Sacramento County Superior Court entered an unlawful-detainer judgment against Curtis Austin concerning his residence at 6801 San Tomas Drive, Unit 130, in Citrus Heights, California, and later issued a writ of possession. Austin contended that JMK Investments, Inc., which obtained the judgment, was not the entity

owning the property, JMK Crosswood, LLC, and argued that the state-court eviction violated due process. He sought a federal TRO to stop his scheduled eviction, naming the private defendants and alleging constitutional violations by the state court, which was not joined as a defendant.

PROCEDURAL HISTORY

The Sacramento County Superior Court entered an unlawful-detainer judgment against Plaintiff on September 16, 2025, and issued a writ of possession on October 6, 2025. Plaintiff sought review in the California Supreme Court, the California Court of Appeal for the Third Appellate District, and the Sacramento Superior Court Appellate Division; the California Supreme Court denied his most recent request on October 14, 2025. Plaintiff then filed this federal action and sought a TRO to prevent his scheduled eviction on October 15, 2025. The district court denied the TRO for lack of subject-matter jurisdiction.

DISPOSITION

other

CASES CITED

- *Aiello v. One West Bank*, No. 2:10-cv-0227-GEB-EFB, 2010 WL 406092, at *1 (E.D. Cal. Jan. 29, 2010)
- *Winter v. Natural Resources Defense Council, Inc.*, 555 U.S. 7, 20 (2008)
- *Alliance for the Wild Rockies v. Cottrell*, 632 F.3d 1127, 1134-35 (9th Cir. 2011)
- *Kokkonen v. Guardian Life Insurance Co. of America*, 511 U.S. 375, 377 (1994)
- *Henderson ex rel. Henderson v. Shinseki*, 562 U.S. 428, 434 (2011)
- *Valdez v. Allstate Insurance Co.*, 372 F.3d 1115, 1116 (9th Cir. 2004)
- *Reusser v. Wachovia Bank, N.A.*, 525 F.3d 855, 859 (9th Cir. 2008)
- *Kougasian v. TMSL, Inc.*, 359 F.3d 1136, 1139 (9th Cir. 2004)
- *Rooker v. Fidelity Trust Co.*, 263 U.S. 413, 415-16 (1923)
- *Colorado River Water Conservation District v. United States*, 424 U.S. 800 (1976)
- *Williamson v. Sacramento Mortgage, Inc.*, No. 10-cv-02600-KJM-DAD, 2011 WL 5511660, at *3 (E.D. Cal. Nov. 10, 2011)
- *40235 Washington Street Corp. v. Lusardi*, 976 F.2d 587, 589 (9th Cir. 1992)
- *Neher v. Davis*, No. 2:25-cv-00482-DC-CSK, 2025 WL 448937, at *4 (E.D. Cal. Feb. 10, 2025)
- *Scherbenske v. Wachovia Mortgage, FSB*, 626 F. Supp. 2d 1052, 1058 (E.D. Cal. 2009)
- *Pearson v. LoanCare, LLC*, No. 23-cv-03882-DSF-MRW, 2023 WL 4317196, at *1 (C.D. Cal. May 31, 2023)
- *Smith v. ReconTrust Co. N.A.*, No. 13-cv-00372-JST-MLG, 2013 WL 12120068, at *1 (C.D. Cal. Mar. 4, 2013)
- *Gray v. Bakersfield Parks, LP*, No. 16-cv-01860-LJO-JLT, 2016 WL 7229112, at *2 (E.D. Cal. Dec. 13, 2016)
- *Lugar v. Edmondson Oil Co.*, 457 U.S. 922, 930 (1982)
- *Jackson v. Metropolitan Edison Co.*, 419 U.S. 345, 349 (1974)

- Hoffman v. IndyMac Bank FSB, No. 10-cv-00802-MMC, 2010 WL 3463641, at *3 (N.D. Cal. Aug. 31, 2010)

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