

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

United States of America v. David Jankowski, et al.

No. 24-11439, United States District Court for the Eastern District of Michigan, Southern Division (February 13, 2026)

SUMMARY

The United States District Court for the Eastern District of Michigan addresses the United States’ motion to strike third-party objections concerning the distribution of proceeds from the anticipated sale of property subject to a criminal judgment lien. The court grants the motion insofar as the objections could be construed as challenging the sale, but holds the motion in abeyance regarding the objectors’ claimed entitlement to reimbursement for property-related expenses and orders the parties to confer.

CASE DETAILS

COURT	United States District Court for the Eastern District of Michigan, Southern Division
WRITING FOR THE COURT	David R. Grand
JURISDICTION	United States District Court for the Eastern District of Michigan, Southern Division
DECIDED	February 13, 2026
DOCKET	24-11439
DISPOSITION	other
PROCEDURAL POSTURE	The United States moved to strike nonparties' objection to a proposed order confirming and authorizing the sale of property subject to a criminal judgment lien. The court granted the motion insofar as the objection could be construed as challenging the sale, but held the motion in abeyance insofar as the objection sought reimbursement from the sale proceeds.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- foreclosure
- intervention
- appellate jurisdiction
- remedies
- civil procedure

PRACTICE AREAS

civil procedure

real estate

foreclosure

remedies

appellate procedure

QUESTIONS PRESENTED

1. Whether the pendency of Paula Jankowski's appeal from the denial of intervention deprived the district court of jurisdiction to consider the nonparties' objection and the motion to strike.
2. Whether the nonparties' objection should be stricken insofar as it challenged the sale of the property.
3. Whether the nonparties' request for reimbursement of property-related expenses should be stricken before the court further considered their asserted entitlement to payment from the sale proceeds.

HOLDINGS

1. The pending appeal from the denial of intervention did not divest the district court of jurisdiction to consider the nonparties' independent objection concerning reimbursement of property-related expenses, because that issue was unrelated to the merits of the appeal and did not challenge the sale.
2. The United States' motion to strike was granted insofar as the nonparties' objection could be construed as opposing the sale of the property, allowing the planned sale to proceed to closing.
3. The court did not finally resolve whether the nonparties were entitled to reimbursement or an equitable lien on the sale proceeds; it held the motion to strike that portion of the objection in abeyance and directed further proceedings.

KEY QUOTATIONS

“Because it is now (if it was not before) clear that the Jankowski Objectors are not objecting to the Property’s sale moving forward, the Court hereby GRANTS the United States’ motion insofar as the Objection could be construed as objecting to the sale of the Property.” (Discussion)

“However, as to the Jankowski Objectors’ assertion that they are entitled to reimbursement for certain payments they made to maintain the Property during the period in question, the Court will HOLD IN ABEYANCE the United States’ motion to strike, and will revise the Proposed Order accordingly.” (Discussion)

FACTUAL BACKGROUND

The United States held a criminal judgment lien on property in South Haven, Michigan, and was preparing to sell the property to a third-party buyer. Paula Jankowski, SH Real Estate Associates LLC, and Stephen Jankowski claimed to have paid maintenance, security, insurance, utilities, mortgage, and other expenses associated with the property. They did not oppose the sale itself, but sought reimbursement from the sale proceeds, characterizing their claim as equitable. An order to pay in Jankowski's criminal case required Jankowski or his agents, advisors, or assigns to pay ordinary property charges, maintain the property, remit a portion of rental income, and provide an accounting, but did not provide for reimbursement upon sale.

PROCEDURAL HISTORY

The United States commenced an action to foreclose a criminal judgment lien on real property owned by David Jankowski. Paula Jankowski previously sought to intervene to litigate a claimed marital interest in the property or sale proceeds; the court denied intervention, and her appeal remained pending in the Sixth Circuit. Nonparties related to Jankowski filed an objection to the proposed sale-confirmation order, seeking reimbursement for property-related expenses, and the United States moved to strike it.

DISPOSITION

other

REMAND INSTRUCTIONS

No remand was ordered. The court directed the parties to meet and confer in good faith regarding reimbursement, scheduled a hearing on the motion to strike, and stated that it would revise the proposed sale-confirmation order accordingly.

CASES CITED

- Fort Gratiot Sanitary Landfill, Inc. v. Michigan Department of Natural Resources, 71 F.3d 1197, 1203 (6th Cir. 1995)