

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
NORTH CAROLINA, CHARLOTTE DIVISION

Koy Lynn Chiu v. Global Realty Investor Trust Mgmt, et al.

No. 3:25-CV-00583-MEO (W.D.N.C. June 25, 2026) · No. 3:25-CV-00583-MEO · Decided June 25, 2026

SUMMARY

The United States District Court for the Western District of North Carolina dismissed Koy Lynn Chiu’s claims seeking to challenge a state-court foreclosure proceeding. The court held that the Rooker-Feldman doctrine deprived it of subject-matter jurisdiction because the requested relief would require review and rejection of the state-court foreclosure order. Defendants’ motions to dismiss were granted, Plaintiff’s pending motions were denied as moot, and the case was closed.

CASE DETAILS

COURT	United States District Court for the Western District of North Carolina, Charlotte Division
WRITING FOR THE COURT	Matthew E. Orso
JURISDICTION	United States District Court for the Western District of North Carolina, Charlotte Division
DECIDED	June 25, 2026
DOCKET	3:25-CV-00583-MEO
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff filed a federal action seeking to rescind a state foreclosure sale and restore title. Defendants moved to dismiss, and plaintiff moved for temporary restraining orders, emergency relief, correction of a service defect, and leave to amend the caption.
STANDARD OF REVIEW	Subject-matter jurisdiction is a threshold issue that must be resolved before consideration of the merits. The court also noted the Rule 12(b) (6) standard permitting judicial notice of public records and consideration of documents integral to the complaint and authentic documents attached to a motion to dismiss.
PRECEDENTIAL VALUE	unpublished
PARTIES	Koy Lynn Chiu v. Global Realty Investor Trust Mgmt, et al.

TOPICS

subject matter jurisdiction

motions to dismiss

wrongful foreclosure

foreclosure

civil procedure

PRACTICE AREAS

civil procedure

federal jurisdiction

foreclosure

real estate

consumer protection

QUESTIONS PRESENTED

1. Whether the federal district court had subject-matter jurisdiction over claims seeking to invalidate or obtain review of a state-court foreclosure judgment.
2. Whether the court could reach the merits of defendants' motions to dismiss and plaintiff's pending motions after determining that subject-matter jurisdiction was absent.

HOLDINGS

1. The federal district court lacked subject-matter jurisdiction because plaintiff was a state-court loser seeking federal review and rejection of a final state-court foreclosure judgment.
2. Because subject-matter jurisdiction was lacking, the court could not consider the merits of the pending motions; defendants' motions to dismiss were granted, plaintiff's motions were denied as moot, and the action was dismissed in its entirety.

KEY QUOTATIONS

“Under the Rooker-Feldman doctrine, federal district courts lack jurisdiction over ‘cases brought by state-court losers complaining of injuries caused by state-court judgments rendered before the district court proceedings commenced and inviting district court review and rejection of those judgments.’” (Discussion)

“It is therefore apparent that the Court lacks jurisdiction to grant the relief Plaintiff seeks, because doing so would effectively invalidate a final order issued in a state court foreclosure proceeding.” (Discussion)

FACTUAL BACKGROUND

The case concerned a foreclosure proceeding involving property at 12937 Silvaire Farm Road in Mecklenburg County, North Carolina. Plaintiff asserted claims under the Fair Debt Collection Practices Act, the Real Estate Settlement Procedures Act, the Truth in Lending Act, 42 U.S.C. § 1983, and unspecified North Carolina law. She sought rescission of the foreclosure sale and restoration of title. Plaintiff also sought emergency relief concerning a different property, located at 15007 Autumn Sage Drive.

PROCEDURAL HISTORY

The action arose from a foreclosure proceeding in the Mecklenburg County, North Carolina Superior Court. That court issued an Order Permitting Foreclosure and Dismissing Appeal, allowing a foreclosure sale of plaintiff's property. Plaintiff then filed this federal action seeking review and rejection of the state-court foreclosure judgment. The federal court granted defendants' motions to dismiss for lack of subject-matter jurisdiction, denied plaintiff's pending motions as moot, and directed the Clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- 2026 WL 1751823, at *5 (U.S. June 18, 2026)
- 607 U.S. 421, 424 (2026)
- 398 U.S. 281, 286 (1970)
- 544 U.S. 280, 284 (2005)
- 526 F. App'x 231, 236 (4th Cir. 2013)
- 2018 U.S. Dist. LEXIS 114380, at *4 (W.D.N.C. July 10, 2018)
- 2014 WL 2861800, at *2-*3 (W.D.N.C. June 24, 2014)
- 2015 WL 3952332, at *3 (E.D.N.C. June 29, 2015)
- 572 F.3d 176, 180 (4th Cir. 2009)

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