

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

Bryan Zesiger v. Angela Kay Zesiger

Zesiger · No. 5:25-cv-04055-DDC-RES · Decided February 25, 2026

SUMMARY

The United States District Court for the District of Kansas dismissed Bryan Zesiger’s pro se action seeking declaratory and injunctive relief against ongoing Texas state-court proceedings concerning the division and enforcement of military retirement benefits in the parties’ divorce decree. The court held that Rooker-Feldman did not apply because the state proceedings remained pending on appeal, but Younger abstention required dismissal because the requested relief would interfere with state-court enforcement and contempt processes. The dismissal was without prejudice, and the Clerk was directed to close the case.

CASE DETAILS

COURT	United States District Court for the District of Kansas
WRITING FOR THE COURT	Daniel D. Crabtree
JURISDICTION	United States District Court for the District of Kansas
DECIDED	February 25, 2026
DOCKET	5:25-cv-04055-DDC-RES
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff brought an action seeking declaratory and injunctive relief against ongoing Texas state-court proceedings concerning modification and enforcement of a divorce decree and division of military retirement benefits. After denying plaintiff’s emergency and second temporary-restraining-order motions, the court considered defendant’s motion to dismiss and plaintiff’s pending preliminary-injunction motions.
PRECEDENTIAL VALUE	Unknown; memorandum and order from a federal district court, with no published reporter citation in the source.
PARTIES	Bryan Zesiger v. Angela Kay Zesiger

TOPICS

- family law procedure
- dissolution of marriage
- qdro
- injunctions
- declaratory judgment

PRACTICE AREAS

family law

civil procedure

federalism

military law

remedies

QUESTIONS PRESENTED

1. Whether the Rooker-Feldman doctrine required abstention when the related Texas state-court proceedings and appeal remained pending.
2. Whether Younger abstention applied because the requested federal declaratory and injunctive relief would directly or indirectly interfere with ongoing state-court enforcement and contempt proceedings.
3. Whether the ongoing Texas proceedings satisfied the three Middlesex conditions for Younger abstention.
4. Whether extraordinary circumstances justified declining to dismiss under Younger.

HOLDINGS

1. Rooker-Feldman does not apply when the state proceedings were not final because an appeal remained pending.
2. The case fell within Younger's third Sprint category because plaintiff's requested relief would directly or indirectly interfere with the Texas court's ability to modify and enforce its divorce decree and use contempt mechanisms.
3. All three Middlesex conditions were satisfied: an ongoing state judicial proceeding existed, the proceeding implicated important state interests, and plaintiff had an adequate opportunity to raise his federal claims in state court.
4. Because the Younger conditions were met and no extraordinary circumstance existed, the court was required to abstain and dismiss plaintiff's claims for injunctive and declaratory relief without prejudice.

KEY QUOTATIONS

"Rooker-Feldman applies only to suits filed after state proceedings are final." (I)

"the third [Sprint] category is present when a federal case involves requests to directly or indirectly thwart state court compliance processes." (II.A)

"Younger abstention is non-discretionary, and the district court must abstain once the conditions are met, absent extraordinary circumstances." (II.C)

FACTUAL BACKGROUND

The parties are former spouses whose 2011 divorce decree addressed division of military retirement benefits. Angela Kay Zesiger pursued Texas state-court proceedings to modify or clarify the decree and obtain military retired pay, and the state court issued orders clarifying the decree and requiring Bryan Zesiger to pay her retired military benefits. Zesiger appealed in the Texas state courts, and that appeal remained pending when he sought federal intervention; he also alleged that he faced contempt and possible incarceration for noncompliance.

PROCEDURAL HISTORY

Angela Kay Zesiger initiated a Texas state-court proceeding to modify the parties' 2011 divorce decree and obtain a portion of Bryan Zesiger's military retirement benefits. Zesiger filed this federal action asserting that the state-court orders conflicted with federal military-retirement-benefit law and requesting declaratory and injunctive relief. The federal court denied his emergency and second TRO motions, concluding that abstention was likely warranted, and then dismissed the action without prejudice under Younger abstention.

DISPOSITION

dismissed

CASES CITED

- Guttman v. Khalsa, 446 F.3d 1027, 1032 (10th Cir. 2006)
- Covington v. Humphries, No. 24-1158, 2025 WL 1448661, at *2, *5-6 (10th Cir. May 19, 2025)
- Montero v. Tulsa Airport Improvements Trust, 770 F. App'x 439, 440 (10th Cir. 2019)
- Columbian Financial Corp. v. Stork, 811 F.3d 390, 393 (10th Cir. 2016)
- Elna Sefcovic, LLC v. TEP Rocky Mountain, LLC, 953 F.3d 660, 670-72 (10th Cir. 2020)
- Sprint Communications, Inc. v. Jacobs, 571 U.S. 69, 72-73 (2013)
- Travelers Casualty Insurance Co. of America v. A-Quality Auto Sales, Inc., 98 F.4th 1307, 1317 (10th Cir. 2024)
- Bivings v. Paprzycki, No. 25-1171, 2025 WL 3687800, at *2 (10th Cir. Dec. 19, 2025)
- Bellinsky v. Galan, No. 24-1351, 2025 WL 2047809, at *4 (10th Cir. July 22, 2025), cert. denied, No. 25-6231, 2026 WL 189804 (U.S. Jan. 26, 2026)
- Gladstone v. Owens, No. 25-1345, 2025 WL 3441796, at *5 (10th Cir. Dec. 1, 2025)
- Middlesex County Ethics Committee v. Garden State Bar Association, 457 U.S. 423, 432-35 (1982)
- Juidice v. Vail, 430 U.S. 327, 335 (1977)
- Hunt v. Lamb, 427 F.3d 725, 727 (10th Cir. 2005)
- Bonjorno v. Asher, No. 24-04111-HLT-BGS, 2025 WL 2374148, at *6-7 (D. Kan. Aug. 14, 2025)
- Braverman v. New Mexico, No. CIV 11-0829 JB/WDS, 2011 WL 6013587, at *25 (D.N.M. Oct. 19, 2011)
- Elk Grove Unified School District v. Newdow, 542 U.S. 1, 12-13 (2004)
- Courthouse News Service v. New Mexico Administrative Office of the Courts, 53 F.4th 1245, 1256 (10th Cir. 2022)
- Winn v. Cook, 945 F.3d 1253, 1258 (10th Cir. 2019)
- Watson v. Missouri, No. 15-9930-JAR-JPO, 2016 WL 1359868, at *5 (D. Kan. Apr. 6, 2016), aff'd, 668 F. App'x 840 (10th Cir. 2016)
- Pennzoil Co. v. Texaco, Inc., 481 U.S. 1, 14 (1987)
- Escalante v. Escalante, No. 23-2176-KHV-TJJ, 2023 WL 11872502, at *3 (D. Kan. Aug. 30, 2023)
- Younger v. Harris, 401 U.S. 37, 54 (1971)

