UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF INDIANA, INDIANAPOLIS DIVISION

Brunswick Exinor v. Freedom Mortgage Corp.

Exinor · No. 1:25-cv-02339-TWP-MJD · Decided April 24, 2026

SUMMARY

The United States District Court for the Southern District of Indiana denied Plaintiff Brunswick Exinor's motions to vacate the final judgment, transfer the case, and supplement the record. The court held that Exinor failed to show a manifest error, newly discovered evidence, or another basis for post-judgment relief, and that the court was the proper federal venue for claims concerning Hamilton County. The court also denied Freedom Mortgage Corp.'s embedded motion to warn Exinor about potential sanctions and ordered that sealed exhibits be unsealed unless a motion to maintain them under seal was filed within fourteen days.

CASE DETAILS

COURT	United States District Court for the Southern District of Indiana, Indianapolis Division
WRITING FOR THE COURT	Tanya Walton Pratt
JURISDICTION	United States District Court for the Southern District of Indiana, Indianapolis Division
DECIDED	April 24, 2026
DOCKET	1:25-cv-02339-TWP-MJD
DISPOSITION	other
PROCEDURAL POSTURE	Post-judgment order denying the plaintiff's motion to vacate or amend the final judgment, motion to supplement the record, and the defendant's embedded motion to warn of potential Rule 11 sanctions.
STANDARD OF REVIEW	A Rule 59(e) motion may be granted only upon a manifest error of law or fact or newly discovered evidence; relief is extraordinary and reserved for exceptional cases. The court also applied the jurisdictional defect identified in its prior screening order.
PRECEDENTIAL VALUE	Unpublished district court order; persuasive value only.
PARTIES	Brunswick Exinor v. Freedom Mortgage Corp.

TOPICS

motion for reconsideration | subject matter jurisdiction | sanctions | foreclosure | civil procedure

PRACTICE AREAS

civil procedure | real estate | remedies

QUESTIONS PRESENTED

1. Whether the plaintiff demonstrated grounds under Rule 59(e) or Rule 60(b) to vacate or amend the final judgment.
2. Whether the case should be transferred to another United States District Court with jurisdiction over Hamilton County.
3. Whether the plaintiff should be permitted to supplement the record with additional evidence after dismissal and entry of final judgment.
4. Whether the defendant was entitled to a warning concerning possible sanctions under Federal Rule of Civil Procedure 11.

HOLDINGS

1. The motion to vacate was properly treated as a Rule 59(e) motion because it was filed within 28 days of judgment, but relief was denied because the plaintiff showed neither a manifest error of law or fact nor newly discovered evidence that could have affected the judgment.
2. Transfer was denied because the Southern District of Indiana, Indianapolis Division, is the appropriate federal court for an action concerning Hamilton County.
3. The motion to supplement the record with additional evidence was denied because the court lacked jurisdiction over the claims and the action remained dismissed and closed.
4. The motion to warn the plaintiff of possible sanctions was denied because her filings did not warrant sanctions or a formal warning.

KEY QUOTATIONS

> *"Relief under Rule 59(e) is appropriate only when the Court has patently misunderstood a party or has made a decision outside the adversarial issues presented to the Court by the parties, or has made an error not of reasoning but of apprehension."* (Discussion § B)

> *"For the reasons explained above, the Court DENIES Ms. Exinor's Motion to Vacate Final Judgment and Transfer Case to Southeastern District Court of Indiana (Dkt. 25), Ms. Exinor's Motion to Supplement Record with Additional Evidence (Dkt. 31), and Freedom Mortgage's Motion to Warn Plaintiff of Possibility of Sanctions (Dkt. 32)."* (Conclusion)

FACTUAL BACKGROUND

Wells Fargo initiated a mortgage foreclosure action in Hamilton Superior Court concerning property held by the Unknown Trustees of the Brunswick Ms. Exinor Trust and a promissory note allegedly owed by Brunswick Exinor. The state court entered a judgment for $118,095.39 and a decree of foreclosure, and the Indiana Court of Appeals dismissed Exinor's appeal. Exinor then filed this federal action, which the court previously determined sought review of the state foreclosure proceedings and asserted additional frivolous copyright, trademark, and identity-theft theories.

PROCEDURAL HISTORY

The court screened the complaint and determined that the action was subject to dismissal for lack of jurisdiction, including under the Rooker-Feldman doctrine, while allowing the plaintiff an opportunity to amend. No amended complaint was filed by the deadline, and the court dismissed the action without prejudice and entered final judgment on February 18, 2026. The plaintiff then moved to vacate and transfer the case and to supplement the record; the defendant opposed and embedded a motion to warn of sanctions.

DISPOSITION

other

REMAND INSTRUCTIONS

The action remains closed. The Clerk must unseal Dkt. 26 after fourteen days unless the plaintiff files a motion to maintain the documents under seal within that period; the plaintiff may alternatively move to withdraw Dkt. 26.

CASES CITED

- Lightspeed Media Corp. v. Smith, 830 F.3d 500, 505-06 (7th Cir. 2016)
- Stragapede v. City of Evanston, 865 F.3d 861, 868 (7th Cir. 2017)
- Oto v. Metropolitan Life Ins. Co., 224 F.3d 601, 606 (7th Cir. 2000)
- Foster v. DeLuca, 545 F.3d 582, 584 (7th Cir. 2008)
- Davis v. Carmel Clay Sch., 286 F.R.D. 411, 412 (S.D. Ind. 2012)
- Bank of Waunakee v. Rochester Cheese Sales, Inc., 906 F.2d 1185, 1191 (7th Cir. 1990)
- Jackson v. U.S. Bank Nat'l Assoc., No. 25-CV-2125, 2025 WL 2835760, at *3 (C.D. Ill. June 9, 2025)
- Vongermeten v. U.S. Trs., No. 23-cv-823, 2023 WL 4685858, at *1 (E.D. Wis. July 21, 2023)