UNITED STATES DISTRICT COURT FOR THE DISTRICT OF RHODE ISLAND

Karen R. Merritt v. James P. Tiernan and Pensco Trust Company

Merritt · No. C.A. No. 23-cv-509-JJM-AEM · Decided March 20, 2026

SUMMARY

The United States District Court for the District of Rhode Island grants James P. Tiernan's motion for summary judgment and denies Karen R. Merritt's motion for partial summary judgment in a dispute involving a promissory note, mortgage, foreclosure, and Massachusetts state-court proceedings. The court concludes that Merritt's Massachusetts General Laws chapter 93A claims are barred by the Rooker-Feldman doctrine, res judicata, and collateral estoppel because they concern issues litigated or that could have been litigated in prior state-court proceedings.

CASE DETAILS

COURT	United States District Court for the District of Rhode Island
WRITING FOR THE COURT	John J. McConnell, Jr.
JURISDICTION	United States District Court for the District of Rhode Island
DECIDED	March 20, 2026
DOCKET	C.A. No. 23-cv-509-JJM-AEM
DISPOSITION	other
PROCEDURAL POSTURE	Both parties moved for summary judgment in Plaintiff's Massachusetts General Laws chapter 93A action concerning a promissory note, mortgage, foreclosure, and related title and eviction proceedings. Defendant moved for summary judgment, and Plaintiff moved for partial summary judgment.
STANDARD OF REVIEW	Summary judgment is appropriate when there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. The court views the record in the light most favorable to the nonmoving party and draws reasonable inferences in that party's favor without weighing evidence or assessing witness credibility.
PRECEDENTIAL VALUE	unknown

TOPICS

summary judgment · subject matter jurisdiction · res judicata · affirmative defenses · civil procedure

PRACTICE AREAS

civil procedure · real estate · consumer protection · contracts

QUESTIONS PRESENTED

1. Whether the Rooker-Feldman doctrine deprived the federal district court of subject matter jurisdiction over Plaintiff's Chapter 93A claims because they were claims by a state-court loser seeking relief effectively requiring review or rejection of final state-court judgments.
2. Whether res judicata barred Plaintiff's Chapter 93A claims because the prior Massachusetts litigation resulted in a final judgment, involved sufficiently identical causes of action, and involved the same parties or parties in privity.
3. Whether collateral estoppel barred relitigation of the foreclosure-related issues because they were identical to issues actually litigated and necessarily determined in the prior proceedings.
4. Whether summary judgment was appropriate where no material facts relevant to the dispositive legal issues were disputed.

HOLDINGS

1. The Rooker-Feldman doctrine barred Plaintiff's Chapter 93A claims because they were inextricably intertwined with final Massachusetts state-court judgments and would require the federal court to undo or undercut those judgments.
2. Res judicata barred Plaintiff's Chapter 93A claim because the prior Massachusetts litigation produced a final judgment, involved sufficiently identical causes of action, and involved the same parties or parties in privity.
3. Collateral estoppel barred Plaintiff from relitigating the foreclosure-related issues because the issues were the same as those involved in the earlier action, were actually litigated, were determined by a valid and binding final judgment, and were essential to that judgment.
4. Summary judgment was appropriate because no factual disputes relevant to the dispositive jurisdictional and preclusion issues existed and Defendant was entitled to judgment as a matter of law.

KEY QUOTATIONS

> *"a plaintiff cannot escape the bar through the simple expedient of introducing a new legal theory in the federal forum that was not broached in the state courts."* (Discussion § IV.A)

> *"The critical datum is whether the plaintiff's federal suit is, in effect, an end-run around a final state-court judgment."* (Discussion § IV.A)

FACTUAL BACKGROUND

Karen R. Merritt received a $146,500 bridge loan from James P. Tiernan's personal IRA and executed a promissory note secured by a mortgage on her Massachusetts property. The note required payment on demand and stated that the entire principal amount was due one year after execution, but Merritt and her ex-husband made no payments for years. Tiernan later declared default and foreclosed, with the property sold at auction in

December 2019 and the foreclosure deed recorded in May 2020. The purchaser obtained final judgments concerning title and eviction in Massachusetts proceedings, where Merritt had asserted foreclosure-related statutory, predatory-lending, usury, and Chapter 93A claims or defenses.

PROCEDURAL HISTORY

Plaintiff previously litigated foreclosure-related defenses and counterclaims in Massachusetts Housing Court proceedings brought by the foreclosure-sale purchaser, L&S Realty, LLC. The Massachusetts court entered final judgment against Plaintiff and rejected or dismissed her foreclosure, predatory-lending, usury, and Chapter 93A-related claims. Plaintiff then filed this federal action, and the parties filed cross-motions for summary judgment. The district court granted Defendant Tiernan's motion, denied Plaintiff's motion, and denied several other motions as moot.

DISPOSITION

other

CASES CITED

- 907 F.3d 61, 64-65 (1st Cir. 2018)
- 544 U.S. 280, 284 (2005)
- 344 F.3d 42, 44 (1st Cir. 2003)
- 193 F.3d 33, 29, 39 (1st Cir. 1999)
- 481 U.S. 1, 23, 25 (1987)
- 410 F.3d at 24
- 575 F. Supp. 3d 262, 268 (D. Mass. 2021); 2023 WL 9111255 (1st Cir. Apr. 26, 2023)
- 324 F.3d 12, 16 (1st Cir. 2003)
- 449 U.S. 90, 94 (1980)
- 490 F.3d 86, 90 (1st Cir. 2007)
- 439 U.S. 322, 326 n.5 (1979)
- 728 F. Supp. 3d 236, 249 (D.R.I. 2024)
- 896 A.2d 27, 36 (R.I. 2006)