



Stop! In the Name of Love...Err States' Rights?

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A recent decision by the United States District Court for the Northern District of New York (the "Court") concluded that a federal court cannot prevent a state court foreclosure pursuant to the abstention doctrine set out by the Supreme Court of the United States in *Younger v. Harris*, 401 U.S. 37, 43-45 (1971) (the "Younger Doctrine"). The Court also held that a preliminary injunction is prohibited under the Anti-Injunction Act.

A *pro se* plaintiff, Susan Keir, filed a civil rights complaint asserting that the defendants were collecting unconstitutional taxes and attempting a non-judicial foreclosure of Keir's private property.^[1] Keir simultaneously filed a motion for preliminary injunction (the "PI Motion") seeking to enjoin the Ulster County defendant from proceeding with foreclosure in county court.^[2]

The PI Motion provides that Keir purchased approximately 15 acres of land in Walkill, Ulster County, New York in 1993. Around 1994, Keir's property was reclassified to rural residential, which Keir claimed was so that unconstitutional taxes could be placed on the property under the threat of foreclosure if Keir did not pay.^[3] Keir begrudgingly paid such taxes until 2022, when Keir sent a cease and desist letter to the Ulster County Department of Finance along with a Freedom of Information Act ("FOIA") request inquiring about the constitutionality of the tax. In 2024, Keir sent another cease and desist letter to the Ulster County Department of Finance with an additional FOIA request inquiring about the constitutionality of the tax.^[4]

The Younger Doctrine prohibits the enjoining or otherwise interfering with ongoing state proceedings.^[5] The Court reasoned that because foreclosure actions concern the disposition of real property, implicate important state interests and state proceedings provide plaintiffs with a sufficient forum to plead their case, the Younger Doctrine is applicable in attempts to enjoin state court foreclosure proceedings. Thus, the Court found that Keir's PI Motion was barred by the Younger Doctrine because it sought to enjoin the foreclosure of her private property.^[6]

The Court further rationalized that pursuant to the Anti-Injunction Act, a district court may only grant an injunction of any state court proceedings in three limited circumstances: (i) if expressly authorized by Act of Congress; (ii) where necessary to aid its jurisdiction; or (iii) to protect or effectuate its judgments.^[7] In particular, courts have continuously held that the Anti-Injunction Act prevents a federal court from enjoining state court eviction proceedings. The Court ultimately concluded that because Keir's PI Motion did not fall within one of the three specific exceptions, the PI Motion was also prohibited by the Anti-Injunction Act.^[8]

The purpose of a preliminary injunction is to prevent harm until a full trial can determine the merits of a case. Thus, the party seeking a preliminary injunction has the burden of proof. Here, the PI Motion did not meet that burden.

^[1] *Keir v. Schoeberl, et al.*, 1:25-cv-056 (N.D.N.Y. 2025).

^[2] *Keir v. Schoeberl*, at 1.

[3] *Id.* at 2.

[4] *Id.*

[5] *Keir v. Schoeberl*, at 3.

[6] *Id.* at 4.

[7] *Id.* at 5.

[8] *Keir v. Schoeberl*, at 5.