

**In the
Supreme Court of the United States**

DOUGLAS WAIN, ET UX.,

Petitioners,

v.

KIMBERLY NELL BUNNELL, CHIEF REGIONAL JUDGE,
22ND JUDICIAL CIRCUIT DIVISION 9,
FAYETTE COUNTY, KENTUCKY, ET AL.,

Respondents.

**On Petition for a Writ of Certiorari to the
United States Court of Appeals for the Sixth Circuit**

**BRIEF IN OPPOSITION OF RESPONDENTS
JUDGE KIMBERLY N. BUNNELL AND
JUDGE JACQUELINE M. CALDWELL**

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QUESTION PRESENTED

Whether Respondents Judge Kimberly N. Bunnell (“Judge Bunnell”) and Judge Jacqueline M. Caldwell (“Judge Caldwell”) (collectively, the “Judicial Respondents”) are entitled to absolute judicial immunity from claims brought by Petitioners Douglas Wain and Elisa Wain (collectively, “the Wains”) arising from rulings and orders entered in connection with a state-court foreclosure case and related appellate proceedings.

PARTIES TO THE PROCEEDINGS

Petitioners

- Douglas A. Wain
- Elisa Wain

A married couple

Respondents

- Judge Kimberly N. Bunnell
- Judge Jacqueline M. Caldwell

Both, in their official capacities

ADDITIONAL RELATED CASES

Pursuant to Supreme Court Rule 15.2, the Judicial Respondents identify the following directly related cases not identified in the Wains' Petition for Writ of Certiorari or otherwise as required in Supreme Court Rule 14.1(b)(iii). Each of these cases involved the Wains and at least one of the Respondent Judges.

Related State Court Proceedings:

1. *Douglas A. Wain, et al. v. Central Bank & Trust Co., et al.*, No. 2024-CA-0643 (Ky. Ct. App., filed May 22, 2024). Held in Abeyance: November 17, 2024;
2. *Douglas A. Wain, et al. v. Central Bank & Trust Co., et al.*, No. 2024-CA-0646 (Ky. Ct. App., filed May 31, 2024) Final Judgment: July 29, 2024;
3. *Douglas A. Wain, et al. v. Kimberly N. Bunnell*, No. 2024-CA-0730 (Ky. Ct. App., filed June 17, 2024). Final Judgment: September 23, 2024;
4. *Douglas A. Wain, et al. v. Kimberly N. Bunnell*, No. 2024-CA-0850 (Ky. Ct. App., filed July 16, 2024). Final Judgment: September 23, 2024;
5. *Douglas A. Wain, et al. v. Kimberly N. Bunnell*, No. 2024-SC-0500 (Ky. Sup. Ct., filed Oct. 21, 2024). Final Judgment: March 26, 2025;
6. *Douglas A. Wain, et al.*, No. 2024-SC-0508 (Ky. Sup. Ct., filed Oct. 29, 2024). Final Judgment: January 27, 2025.

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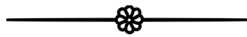
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OPINIONS BELOW

The opinion of the Sixth Circuit is unreported and unpublished and is reproduced in full in the appendix to the Wains' Petition. (Pet.App.1a-8a). The Memorandum and Order of the U.S. District Court for the Eastern District of Kentucky, Lexington Division, is also unreported and unpublished and is reproduced in full in the appendix to the Wains' Petition. (Pet.App.12a-23a).



CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Pursuant to Supreme Court Rules 15.3 and 24.1(f), the Judicial Respondents identify the constitutional and statutory provisions involved in this case as follows:

U.S. Const. Amend. XIV

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

42 U.S.C. § 1983

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.

**COUNTERSTATEMENT OF THE CASE**

The Wains' representation of this case as presenting an unresolved question regarding the scope of absolute judicial immunity when a judge issues rulings after being served with a § 1983 complaint is a complete mischaracterization that bears no relationship to the claims asserted or issues raised and decided below. Petition for Writ of Certiorari ("Petition"). (Pet.9) Instead, the case is nothing more than the Wains' latest attempt to collaterally attack judicial rulings

entered in a state-court foreclosure case, which they unsuccessfully challenged on appeal through the state-court system, and for which they now seek to hold the trial-court judge and appellate-court judge personally liable. As both the district court and the Sixth Circuit properly determined, the Judicial Respondents are absolutely immune from the Wains' claims. The Wains' Petition fails to present issues preserved for this Court's review and presents no qualifying concern warranting certiorari.

This case arises from a foreclosure action filed against the Wains by Central Bank & Trust Company ("Central Bank") in Fayette Circuit Court, Case No. 19-CI-00812, on March 6, 2019 (the "Foreclosure Case"), with Judge Bunnell presiding.¹ (Pet.App.14a-15a). Central Bank filed a motion for partial summary judgment in November 2020, alleging the Wains defaulted on a loan secured by real property in Lexington, Kentucky. (Pet.App.15a). Judge Bunnell granted Central Bank's motion in January 2021, entering an *in personam* judgment against the Wains in the amount of \$358,412.72, plus interest. (*Id.*) The real property was thereafter sold at a Master Commissioner's sale, which was confirmed on February 24, 2021. (*Id.*) On March 7, 2024, the Fayette Circuit Court entered summary judgment in favor of the first mortgagee on its claims against the Wains and ordered the distribution of the sale proceeds to Central Bank and the first mortgagee. (*Id.*)

Throughout the protracted litigation, the Wains pursued multiple state-court appellate challenges to various aspects of the Foreclosure Case, including at

¹ The Wains' List of Proceedings omits several of their unsuccessful state court appeals of the Foreclosure Case. (Pet.iv-v).

least four separate appeals and petitions to the Kentucky Court of Appeals and Kentucky Supreme Court. (Pet.iv) (*see also* Res.ix). The Wains also sought Judge Bunnell’s recusal on multiple occasions, and each request was denied. (Pet.App.16a). On October 21, 2024, after filing their third Petition for Writ of Mandamus against Judge Bunnell, the Kentucky Court of Appeals (in Case No. 2024-CA-1090) denied the Wains’ motion for emergency relief in an order signed by Judge Caldwell, which was Judge Caldwell’s only involvement in this matter. (*Id.*)

On October 28, 2024, the Wains filed their *pro se* 42 U.S.C. § 1983 Complaint in the United States District Court for the Eastern District of Kentucky against Judges Bunnell and Caldwell in their official capacities. (Pet.App.16a). The Complaint alleged that Judge Bunnell deprived the Wains of due process in violation of the Fifth and Fourteenth Amendments during the Foreclosure Case proceedings. (*Id.*) Specifically, they alleged that Judge Bunnell did not provide them notice or representation during hearings, did not give them notice of motions or orders, shut them out of conversations during hearings, denied them “critical information,” and changed orders or rulings without their knowledge. (*Id.*) The Wains’ Complaint alleged conflict of interest, bias, and prejudice as possible factors in Judge Bunnell’s alleged denial of due process. (Pet. App.17a). Their Complaint contained no factual allegations concerning Judge Caldwell or any possible basis for their claim against her. (Pet.App.16a). The Wains’ Complaint also sought an injunction to stop the August 19, 2024 debtor’s examination ordered by Judge Bunnell and stated that the Wains “may also seek punitive and compensatory damages.” (Pet.App.4a).

The Judicial Respondents moved to dismiss the Wains' Complaint under Federal Rule of Civil Procedure 12(b)(6) on the grounds that: (1) the district court lacked subject-matter jurisdiction; (2) the Wains could not collaterally attack rulings and orders entered in the state-court Foreclosure Case; (3) the Wains' claims were barred by judicial immunity and the Eleventh Amendment; and (4) their Complaint failed to state a claim upon which relief could be granted. (Pet.App.4a). The district court granted the motion, dismissing the Wains' claims on the basis that: (i) because the Wains' sued the Judicial Respondents only in their official capacities, the Eleventh Amendment barred their claims, which were properly construed as claims against the Commonwealth; (ii) the *Ex parte Young* exception did not apply because the relief sought would require the court to effectively overrule a prior order of the Fayette Circuit Court; and (iii) § 1983 does not permit injunctive relief against a judicial officer for an act or omission taken in the officer's judicial capacity unless a declaratory decree was violated or declaratory relief was unavailable, and the Wains alleged neither. (Pet.App. 17a-22a). The district court further denied the Wains' request to amend their Complaint because allowing an amendment to sue the Judicial Respondents in their individual capacities would be futile because the Complaint failed to allege "any facts indicating that Judge Bunnell's actions were non-judicial or taken in the complete absence of all jurisdiction," and the Wains' proposed class-of-one equal protection claim could not survive a motion to dismiss. (Pet.App.19a-21a).

The district court concluded that Judge Bunnell's alleged actions "clearly fall within" the category of acts normally performed by a judge and that the Wains

dealt with Judge Bunnell only in her judicial capacity. (Pet.App.20a-21a). The district court further held that “[j]udicial immunity extends even to judicial acts allegedly performed maliciously, corruptly, in bad faith, or in error.” (*Id.*) Likewise, as to Judge Caldwell, the district court found that “[r]esolving a motion or petition before the Kentucky Court of Appeals is conduct that clearly falls within Judge Caldwell’s judicial capacity.” (*Id.*) Finally, the district court also denied the Wains’ request to disqualify the Judicial Respondents’ counsel. (Pet.App.21a-23a).²

The Sixth Circuit affirmed the district court’s judgment, agreeing that the Judicial Respondents were entitled to absolute judicial immunity. (Pet.App.5a-7a). Moreover, the Sixth Circuit held that: (1) because the Wains sued the Judicial Respondents in their official capacities only, their claims were properly construed as claims against the Commonwealth, which is immune from suit under the Eleventh Amendment; (2) the *Ex parte Young* exception did not apply because it “does not normally permit federal courts to issue injunctions

² The Wains attempt to re-argue issues relating to disqualification of the Judicial Respondents’ counsel (raised by the Wains as a basis for denying the Judicial Respondents’ motion to dismiss), by asserting it as another conflict that “merits preservation for this Court’s consideration . . .” (Pet.5). However, the Sixth Circuit determined that the district court did not abuse its discretion in finding no conflict of interest or basis for disqualifying the Judicial Respondents’ counsel (Pet.App.8a), and the Wains did not identify the lower courts’ rejection of their disqualification of counsel argument as one of the Questions Presented herein. Thus, the issue was not preserved and warrants no consideration by this Court. *See, Prudence Co. v. Fidelity & Deposit Co.*, 297 U.S. 198, 203 (1936) (issue not specified as error in the petition for the writ will not be considered by the Supreme Court.)

against state-court judges or clerks,” and “[i]f a state court errs in its rulings, . . . the traditional remedy has been some form of appeal”; (3) allowing amendment to sue in individual capacities would be futile because the Judicial Respondents “took all of these actions within their capacities as judges, and the Wains provided no specific facts from which to infer that either judge acted without jurisdiction”; and (4) “[t]he Wains did not allege that Judge Bunnell violated a declaratory decree, and the Wains could have sought relief by simply appealing Judge Bunnell’s rulings in state court.” (Pet.App.5a-7a).

The Wains now ask this Court to look past the grounds on which this case was decided and to consider issues that were neither presented nor considered by the district court or the Sixth Circuit. They also fail to raise any other qualifying reason for this Court to accept certiorari. For these reasons, their Petition should be denied.



REASONS FOR DENYING THE PETITION

I. The Wains’ Petition Presents No Issue Preserved for the Court’s Review.

The Wains’ Petition attempts to frame this case as presenting an “unresolved question” about the scope of absolute judicial immunity for judicial actions occurring after they served Judge Bunnell with their § 1983 complaint—specifically, whether the filing of such a complaint creates a constitutionally disqualifying “personal stake” under *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009), and *Williams v. Pennsylvania*,

579 U.S. 1 (2016), that defeats immunity. (Pet.i-ii).³ However, neither the district court nor the Sixth Circuit was ever asked or had the opportunity to address this issue. Indeed, the Wains have never previously raised this issue with any court.

The Wains filed their Complaint (which they omitted from their appendix) on October 28, 2024, asserting Fifth and Fourteenth Amendment claims against Judge Bunnell based on generalized allegations of due process deprivations in the Foreclosure Case, *i.e.*, failure to provide notice of hearings, failure to serve motions and orders, shutting the Wains out of conversations, changing orders without their knowledge, and seeking an injunction to stop a debtor’s examination ordered by Judge Bunnell. (Res.App.1a-8a). Their Complaint did not, and could not, raise any allegations of post-filing judicial conduct because the conduct had not yet occurred. And, the Wains never sought to amend their Complaint to add allegations of post-filing conduct.

The Wains also never argued in any of their appeals or motions to disqualify Judge Bunnell in the state-court Foreclosure Case that service of a federal § 1983 complaint on Judge Bunnell creates the kind of “significant personal stake” contemplated by *Caperton* and *Williams* that would require Judge Bunnell’s

³ Although the Wains’ Petition purports to raise three separate Questions Presented, the three questions are substantively identical and can be reduced to one issue: namely, the scope of absolute judicial immunity when a state-court judge issues rulings in a case after being served with a § 1983 Complaint arising from their actions in that case. (Pet.i-ii). Indeed, each of the Questions Presented by the Wains asks, in varied form, the same question of whether service of such a complaint creates a constitutionally disqualifying “personal stake” that defeats judicial immunity.

disqualification. Moreover, they made no argument to the district court or the Sixth Circuit in this case that having such a “significant personal stake” would not only require Judge Bunnell’s disqualification in the Foreclosure Case, but also strip her of her entitlement to absolute judicial immunity from their § 1983 claims in this case. They never argued to any court, as they do here, that the 72-hour interval between service of the § 1983 Complaint on Judge Bunnell’s chambers on January 21, 2025, and her order granting Central Bank’s motion for summary judgment on the Wains’ counter-claims—the ruling the Wains now characterize as the “three-day judgment” in their Petition—was constitutionally dispositive of her disqualification in the Foreclosure Case (Pet.6-7), or that their § 1983 Complaint raised the question of whether Judge Bunnell should be categorically stripped of judicial immunity because she took further judicial action in the Foreclosure Case after they served her with their § 1983 Complaint. Instead, the Sixth Circuit’s opinion affirming the district court’s dismissal addressed the arguments actually raised below: Eleventh Amendment immunity, the *Ex parte Young* exception, judicial immunity as applied to the allegations contained in the Wains’ Complaint, and the futility of amendment. (Pet.App.5a-7a). Thus, the Wains’ Questions Presented were not preserved for this Court’s review.

The Wains’ Questions Presented inaccurately portray this case as raising questions about the intersection of judicial immunity and due process disqualification principles that were never presented to any court. This Court has long adhered to the principle that it is “a court of review, not of first view[.]” *Cutter v. Wilkinson*, 544 U.S. 709, 718 n.7 (2005). The “normal

practice . . . is to refrain from addressing issues not raised in the Court of Appeals.” *EEOC v. Federal Labor Relations Authority*, 476 U.S. 19, 24 (1986); *see also Brown v. Socialist Workers ’74 Campaign Comm.*, 459 U.S. 87, 104-105 (1982) (“[where] issues are neither raised before nor considered [by the court below], this Court will not ordinarily consider them.”); *CRST Van Expedited, Inc. v. EEOC*, 578 U.S. 419, 420 (2016) (“[i]t is not this Court’s usual practice to adjudicate either legal or predicate factual questions in the first instance.”) Accordingly, this Court should deny certiorari.

II. The Petition Presents No Qualifying Concerns Which Mandate Review on Certiorari.

Even setting aside the Wains’ failure to preserve the argument they now advance, their Petition fails to demonstrate any of the “compelling reasons” necessary for this Court to grant certiorari under Supreme Court Rule 10. In determining whether such a compelling reason has been presented, the Court considers whether:

(a) a United States court of appeals has issued an opinion on the present matter conflicting with that of a separate United States court of appeals or state court of last resort, or the opinion so far departed from accepted judicial proceedings such that this Court’s supervisory power is warranted; (b) a state court of last resort has decided a federal question in such a way that conflicts with another state court of last resort or of a United States court of appeals, or; (c) a state court of last resort or a United States court of appeals decided a

question of important federal law that this Court should settle, or decided an important federal question such that its decision conflicts with this Court.

See Sup. Ct. R. 10(a)-(c).

The Wains contend that their Petition presents “an important and unresolved federal question that warrants this Court’s review under Rule 10(c): whether absolute judicial immunity continues to apply when a state court judge, having been served at her judicial chambers with a § 1983 civil rights complaint naming her as a defendant, thereafter issues a dispositive ruling against the very § 1983 plaintiffs appearing before her.” (Pet.9).⁴ Yet, even taking the most charitable view of their Petition, which is premised on issues that were not preserved below, the Wains fail to satisfy any condition necessary for this Court to exercise its discretion to grant certiorari.

In fact, the Wains cannot satisfy even the threshold requirements of Rule 10(c) because they identified no Kentucky Supreme Court or United States court of appeals’ decision that conflicts with any decision of this Court and the doctrine of absolute judicial immunity

⁴ The Wains make no argument that the Sixth Circuit issued an opinion in this case that conflicts with an opinion of a separate United States court of appeals or state court of last resort, or that is so far departed from accepted judicial proceedings such that this Court’s supervisory power is warranted so as to meet the threshold for review under Rule 10(a), or that the Kentucky Supreme Court decided a federal question in a way that conflicts with any other state court of last resort or a United States court of appeals, as required to meet the threshold for review under Rule 10(b).

is well-established and not in conflict.⁵ Indeed, this Court has long recognized that judges are generally immune from civil suits for monetary damages. See *Mireles v. Waco*, 502 U.S. 9 (1991); *Forrester v. White*, 484 U.S. 219 (1988). “Like other forms of official immunity, judicial immunity is an immunity from suit, not just from ultimate assessment of damages.” *Mireles*, 502 U.S. at 11. The principles of judicial immunity are so strong that judges are protected from suit “even when they perform judicial acts in excess of their authority, even when such acts are allegedly done maliciously or corruptly.” *Stump v. Sparkman*, 435 U.S. 349, 355-56 (1978) (citation omitted).

The doctrine recognizes that the public benefits of judicial immunity outweigh the occasional unfairness to a litigant because it is “of the highest importance to the proper administration of justice” that a judicial officer be free to exercise vested authority without apprehension of personal consequences. *Mireles*, 502 U.S. at 10. If judges were personally liable for erroneous decisions, the resulting lawsuits would incentivize judges to avoid entering decisions likely to provoke such suits. *Forrester*, 484 U.S. at 226-27.

⁵ The Wains acknowledge that their case does not present “a traditional circuit split in the sense of directly conflicting holdings on identical facts.” (Pet.15). Instead, they characterize the state of the law as “a pattern of cursory application of absolute immunity across the circuits without engagement with the constitutional fair-tribunal principles.” (*Id.*) Yet, not only is this not a basis for certiorari, but the Wains fail to identify any case that would establish the existence of such a pattern. Similarly, the Wains cite no authority in support of their conclusory assertion that recusal procedures are “inadequate” in state court systems making their Questions Presented “particularly significant.” (*Id.* at 16).

In accordance with these principles, federal courts will permit suit against judges only when they act “in the clear absence of jurisdiction.” *Stump*, 435 U.S. at 351-52. *See also Mireles*, 502 U.S. at 11-12. The “factors determining whether an act by a judge is a ‘judicial’ one relate to the nature of the act itself, *i.e.*, whether it is a function normally performed by a judge, and to the expectations of the parties, *i.e.*, whether they dealt with the judge in his judicial capacity.” *Stump*, 435 U.S. at 362.

The Wains have not and cannot show that the Judicial Respondents’ actions were non-judicial—even if those actions were taken after service of a § 1983 complaint. The Sixth Circuit found that: (i) Judge Bunnell’s decision not to recuse herself in the Foreclosure Case (based on the Wains’ allegations that she had an undisclosed financial relationship with Central Bank from deposits held at the bank from a district judicial campaign over 25 years ago) constitutes a quintessential judicial act performed within the scope of her authority in her role as presiding judge, (ii) all actions taken by the Judicial Respondents were made in their capacity as judges, and (iii) the Wains provided no specific facts from which to infer that either judge acted without jurisdiction.” (Pet.App.6a-7a). Further, the Sixth Circuit held that the Wains “could have sought relief by simply appealing Judge Bunnell’s rulings in state court” and that the *Ex parte Young* exception “does not normally permit federal courts to issue injunctions against state-court judges or clerks” because “[i]f a state court errs in its rulings, . . . the traditional remedy has been some form of appeal.” (Pet.App.6a-7a).

Similarly, while the Wains argue that the filing of their § 1983 lawsuit constitutionally required Judge

Bunnell to recuse from the Foreclosure Case before taking any further judicial action, the decision not to do so, whether made erroneously, maliciously, corruptly, with bias, or after they filed their § 1983 Complaint is unquestionably a function normally performed by a judge, within her jurisdiction, and was made in her judicial capacity. Consequently, this case presents precisely the type of claims that the doctrine of absolute immunity is intended to bar. As a result, Judge Bunnell is entitled to judicial immunity for that decision the same way she is for any other decision rendered in the Foreclosure Case. *Stump*, 435 U.S. at 355-56.

Although the Wains make the conclusory assertion that state-court recusal procedures are “inadequate” (Pet.16), they provide no support for this assertion, and their state-court appellate proceedings remain unresolved. After filing multiple motions for recusal in the Foreclosure Case, which Judge Bunnell denied, the Wains filed an original action in the Kentucky Court of Appeals (Case No. 2024-CA-1090-OA), seeking mandamus to compel Judge Bunnell to disclose her financial associations with Central Bank. (Pet.iv). That proceeding remains pending—held in abeyance *at the Wains’ request* pending resolution of their federal bankruptcy proceedings. The Wains also filed a direct appeal of Judge Bunnell’s February 5, 2025 summary judgment order in the Foreclosure Case (Appeal V, No. 2025-CA-0252-MR), which likewise remains pending. (*Id.*)

These appellate proceedings provide adequate opportunity for the state-appellate courts to correct any errors the Wains claim that Judge Bunnell made in the Foreclosure Case. However, because the Wains never sought Judge Bunnell’s disqualification in the Foreclosure Case based on an argument that the filing

of their § 1983 Complaint created a constitutionally disqualifying “personal stake” under *Caperton* and *Williams*, no state court has ever considered the issue. Thus, they have not and cannot cite to any decision by the Kentucky Supreme Court or the Sixth Circuit that decided a question of important federal law that this Court should settle, or decided an important federal question that conflicts with any decision of this Court to warrant this Court’s review under Rule 10(c).

The Wains also entirely failed to demonstrate that the district court’s or the Sixth Circuit’s decisions deviate from the well-recognized principles of absolute judicial immunity articulated by this Court. The United States courts of appeals uniformly recognize judicial immunity for judicial actions taken within the court’s jurisdiction. *See, e.g., Johnson v. Turner*, 125 F.3d 324, 333 (6th Cir. 1997) (judicial officers were immune from monetary relief because their actions were not taken in the clear absence of all jurisdiction since they acted within the scope of their statutory functions); *Ashelman v. Pope*, 793 F.2d 1072 (9th Cir. 1986) (extending absolute judicial immunity to a judge who allegedly conspired with a prosecutor to predetermine the outcome of a proceeding); *King v. Myers*, 973 F.2d 354 (4th Cir. 1992) (magistrate judge was absolutely immune from civil liability for directing a police officer to effect warrantless arrest); *Green v. Maraio*, 722 F.2d 1013 (2d Cir. 1983) (recognizing immunity where a judge instructed a court reporter to alter a trial transcript).

In sum, this Court has already determined the extent to which absolute judicial immunity shields judicial officers from civil suits, holding that principles of judicial immunity dictate that “[a] judge is entitled

to immunity from suit even when accused of acting in bad faith, maliciously, or corruptly.” *Mireles*, 502 U.S. at 11. The Wains failed to demonstrate that review is warranted under Rule 10(c) or identify any other compelling reason for this Court’s review. As such, the Court should deny certiorari.



CONCLUSION

For the reasons stated herein, the Judicial Respondents respectfully request that this Court deny the Wains’ Petition for Writ of Certiorari in its entirety.

Respectfully submitted,

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