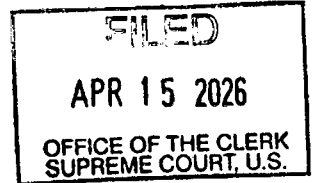


No. 26-455 ORIGINAL

In the  
Supreme Court of the United States



LEANDA CHAFFINS

*Petitioner,*

v.

SHANNON SHARP; NATALIE ANDERSON;  
JENNY WETCH; LEXI ELDRIDGE; TRACI SCHLAG;  
ALICIA SEELY; DENNIS MEIER; CORY  
PEDERSEN; KATHRYN DOLL; KATIE KRUEGER

*Respondents.*

On Petition for Writ of Certiorari to the  
United States Court of Appeals  
for the Eighth Circuit

PETITION FOR WRIT OF CERTIORARI

Leanda Chaffins  
P.O. Box 122  
Bismarck, ND 58502  
701.805.9640  
[Leandie.chaffins@gmail.com](mailto:Leandie.chaffins@gmail.com)  
Petitioner Pro Se

## QUESTIONS PRESENTED

1. Whether a federal court may abstain under Younger v. Harris, 401 U.S. 37 (1971) from exercising jurisdiction over claims under 42 U.S.C. § 1983 alleging constitutional violations—including the warrantless seizure of a child—that occurred before any state judicial proceedings were initiated, based solely on later-filed state custody or termination proceedings.
2. Whether federal jurisdiction is barred under the *Rooker-Feldman* doctrine, over claims seeking damages for independent constitutional violations by state officials, where the plaintiff does not seek review of a state-court judgment, but instead challenges pre-judgment conduct.

## **PARTIES TO THE PROCEEDING**

Petitioner is Leanda Chaffins, Plaintiff in the district court and Appellant in the court of appeals below.

Respondents are

Shannon Sharp;  
Natalie Anderson;  
Jenny Wetch;  
Lexi Eldridge;  
Traci Schlag;  
Alicia Seely;  
Dennis Meier;  
Cory Pedersen;  
Kathryn Doll; And  
Katie Krueger:

Defendants in the district court and Appellees in the court of appeals below.

## **CORPORATE DISCLOSURE STATEMENT**

Pursuant to Rule 29.6 of the Rules of this Court, Petitioner is an individual and not a corporation. Accordingly, no corporate disclosure statement is required.

## TABLE OF CONTENTS

|                                                 |    |
|-------------------------------------------------|----|
| Questions Presented .....                       | i  |
| Parties to the Proceedings .....                | ii |
| Table of Contents .....                         | ii |
| Table of Authorities .....                      | iv |
| Cases.....                                      | iv |
| Constitutional and Statutes .....               | iv |
| Opinions Below .....                            | 1  |
| Jurisdiction .....                              | 1  |
| Constitutional and Statutory Provisions .....   | 1  |
| Statement of the Case .....                     | 1  |
| 1. Warrantless Seizure .....                    | 1  |
| 2. Federal Civil Rights Action .....            | 2  |
| 3. District Court Proceedings .....             | 2  |
| 4. Court of Appeals Decision .....              | 3  |
| Summary of the Argument .....                   | 2  |
| Reasons for Granting the Writ .....             | 3  |
| I.    The Decision Below Expands <i>Younger</i> |    |

|      |                                                                                                                                                                    |     |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
|      | Abstention to Bar Claims Arising<br>From Pre-Judicial Constitutional<br>Violations .....                                                                           | 3   |
| II.  | The <i>Rooker-Feldman</i> Doctrine Does<br>Not Bar Petitioner's Claims .....                                                                                       | 5   |
| III. | This Case Presents an Important<br>and Recurring Question Regarding<br>Warrantless Child Seizures .....                                                            | 7   |
| IV.  | The Combined Applications of <i>Younger</i><br>and <i>Rooker-Feldman</i> Eliminates Any<br>Federal Forum .....                                                     | 8   |
| V.   | This Case Presents a Clean Vehicle<br>for Resolving the Questions<br>Presented .....                                                                               | 9   |
| VI.  | The Courts of Appeals Are Divided on<br>Whether Federal Courts May Exercise<br>Jurisdiction Over § 1983 Claims<br>Arising From Warrantless Child<br>Seizures ..... | 9   |
|      | Conclusion .....                                                                                                                                                   | 12  |
|      | Prayer for Relief .....                                                                                                                                            | 12  |
|      | Appendices .....                                                                                                                                                   |     |
|      | • Order Denying Petition for<br>Rehearing and Rehearing En<br>Banc.....                                                                                            | A-1 |

- Decision of the Eighth Circuit Court of Appeals ..... A-2
- Decision of the United States District Court for the District of North Dakota included as Sealed Appendix in Separate Volume ..... \*

## TABLE OF AUTHORITIES

### Cases:

|                                                                                                       |          |
|-------------------------------------------------------------------------------------------------------|----------|
| <u>Colorado River Water Conservation Dist. v. United States</u> , 424 U.S. 800 (1976) .....           | 3-4      |
| <u>Exxon Mobil Corp. v. Saudi Basic Indus. Corp.</u> , 544 U.S. 280 (2005) .....                      | 5, 7, 12 |
| <u>Forman v. Davis</u> , 371 U.S. 178 (1962) .....                                                    | 7        |
| <u>Lance v. Dennis</u> , 546 U.S. 459 (2006) .....                                                    | 6        |
| <u>Mitchum v. Foster</u> , 407 U.S. 225 (1972) .....                                                  | 5        |
| <u>New Orleans Public Service, Inc. v. Council of City of New Orleans</u> , 491 U.S. 350 (1989) ..... | 4        |
| <u>Santosky v. Kramer</u> , 455 U.S. 745 (1982) .....                                                 | 8        |
| <u>Skinner v. Switzer</u> , 562 U.S. 521 (2011) .....                                                 | 6, 11    |
| <u>Sprint Commc'ns, Inc. v. Jacobs</u> , 571 U.S. 69, 77 (2013) .....                                 | 4, 12    |
| <u>Steffel v. Thompson</u> , 415 U.S. 452 (1974) .....                                                | 5        |
| <u>Tenenbaum v. Williams</u> , 193 F.3d 581 (2d Cir. 1999) .....                                      | 1, 11    |

*Troxel v. Granville*, 530 U.S. 57 (2000) ..... 8

*Wallis v. Spencer*, 202 F.3d 1126 (9th Cir. 2000) .... 11

#### **Constitution and Statutes:**

- First Amendment, U.S. Constitution ..... 1
- Fourth Amendment,  
U.S. Constitution ..... 1,2
- Fifth Amendment, U.S. Constitution ..... 1
- Fourteenth Amendment,  
U.S. Constitution ..... 1,2,8
- 28 U.S.C. § 1254(1) ..... 1
- 42 U.S.C. § 1983 ..... 1, 2, 5, 7, 9, 10, 11
- 42 U.S.C. § 1985 ..... 1,2

#### **Other Authorities**

Rooker-Feldman Doctrine ..... 3, 5, 6, 7, 8, 9, 11, 12

Younger Abstention Doctrine ..... 3, 4, 9, 11, 12

## OPINIONS BELOW

The court of appeals' decision is unpublished.

The district court's order is unreported but included in the appendix.

## JURISDICTION

The judgment was entered January 20, 2026.  
Jurisdiction is invoked under 28 U.S.C. § 1254(1).

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

This case involves the First, Fourth, Fifth, and Fourteenth Amendments to the United States Constitution; 42 U.S.C. § 1983; and 42 U.S.C. § 1985.

## STATEMENT OF THE CASE

This case arises from custodial interference and the warrantless removal of Petitioner's minor child by state actors, and the subsequent refusal of federal courts to exercise jurisdiction over Petitioner's constitutional claims.

### 1. The Warrantless Seizure

On September 14, 2022, officials associated with a North Dakotas human service zone removed Petitioner's child from her custody without a warrant, without a court order and without any showing of imminent danger. (See Tenenbaum v. Williams, 193 F.3d 581, 605 – holding that absent emergency circumstances, the removal of a child without prior judicial authorization violates the Fourth Amendment.)

An order for temporary custody was signed on September 15, 2022.

Seven days later, On September 21, 2022, a report of abuse and or neglect was made to law enforcement by officials associated with Three Rivers Human Service Zone.

Thus, the seizure of the child preceded any formal report or judicial involvement.

## **2. Federal Civil Rights Action**

Petitioner filed suit under 42 U.S.C. §§ 1983 and 1985, alleging violations of her constitutional rights, including:

- Unreasonable seizure under the Fourth Amendment.
- Deprivation of parental rights under the Fourteenth Amendment; and
- Conspiracy to deprive constitutional rights.

Petitioner sought damages, declaratory relief, and other appropriate remedies for the unconstitutional conduct of Respondents.

The complaint expressly alleged that the constitutional violations occurred prior to, and independently of, any state-court proceedings, and did not seek review or reversal of any state-court judgment.

## **3. District Court Proceedings**

Respondents moved to dismiss, arguing lack of jurisdiction under the *Younger* abstention doctrine and the *Rooker-Feldman* doctrine.

Petitioner opposed the motions and moved for partial summary judgment, relying in part on Respondents' own submissions to demonstrate that no court order existed at the time of removal.

The district court did not rule on Petitioner's pending motions. Instead, it dismissed the case for lack of subject-matter jurisdiction holding that:

- *Younger* abstention applied due to ongoing state custody proceedings; and
- *Rooker-Feldman* barred claims intertwined with state court orders.

#### **4. Court of Appeals Decision**

The United States Court of Appeals for the Eight Circuit affirmed the dismissal without addressing the merits of Petitioner's constitutional claims.

### **REASONS FOR GRANTING THE PETITION**

#### **I. The Decision Below Expands *Younger* Abstention to Bar Claims Arising from Pre-Judicial Constitutional Violations.**

The *Younger* abstention doctrine is a narrow exception to the federal courts' "virtually unflagging obligation" to exercise jurisdiction (*Colorado River Water Conservation Dist. v. United States*, 424 U.S.

800, 817). It applies only in limited circumstances involving ongoing state proceedings of a particular character and does not permit federal courts to decline jurisdiction over independent claims arising from unconstitutional conduct. See Sprint Communications, Inc. v. Jacobs, 571 U.S. 69, 73 (limiting *Younger* to "exceptional" categories of cases). The decision below expands *Younger* beyond its proper bounds.

Petitioner's claims arise from the warrantless removal of her child – conduct that occurred before any court order had been issued and prior to the initiation of any judicial proceedings. These claims challenge the actions of state actors, not the validity of any state-court judgment. As such, they fall outside the scope of *Younger* abstention. See New Orleans Public Service Inc. v. Council of City of New Orleans, 491 U.S. 350, 364 (*Younger* does not apply where the federal plaintiff seeks to vindicate independent federal rights).

The lower courts nevertheless invoked *Younger* based on the existence of ongoing state custody and termination proceedings. That application improperly allowed later-developed state proceedings to extinguish federal jurisdiction over claims arising from pre-deprivation constitutional violations. At the time Petitioner filed this action, she sought relief for conduct that had already occurred and that the state court declined to remedy. The subsequent initiation and escalation of termination proceedings cannot retroactively justify abstention. See Steffel v.

Thompson, 415 U.S. 452, 462; (federal jurisdiction does not vanish simply because related state proceedings are initiated).

To hold otherwise would permit state actors to insulate unconstitutional conduct from federal review simply by initiating or accelerating state proceedings after a federal action is filed. Such a rule would undermine the purpose of 42 U.S.C. § 1983. See Mitchum v. Foster, 407 U.S. 225, 242; (Section 1983 was intended to provide a federal forum for vindicating constitutional rights against state actors).

Moreover, the jurisdictional ruling below does not depend on the resolution of disputed facts, but on the legal characterization of Petitioner's claims. The question presented is therefore a purely legal one, making this case an appropriate vehicle for this Court's review.

## **II. The *Rooker-Feldman* Doctrine Does Not Bar Petitioner's Claims.**

The *Rooker-Feldman* doctrine is a narrow jurisdictional rule that applies only when a federal plaintiff seeks review and rejection of a state-court judgment (see Exxon Mobil Industries Corp. v. Saudi Basic Industries Corp., 544 U.S. 280, 284). It does not bar federal jurisdiction over independent claims alleging unconstitutional conduct by state actors.

Petitioner does not seek appellate review of any state-court judgment. Instead, she seeks relief for constitutional violations arising from

the warrantless seizure of her child and related conduct undertaken by state officials. The injury alleged in this case was complete before any court order had been issued, and prior to the initiation of judicial proceedings. Accordingly, the source of Petitioner's injury is the conduct of Respondents, not any state-court judgment. See *Skinner v. Switzer*, 562 U.S. 521, 532 (*Rooker-Feldman* does not bar a claim that "does not seek review of the state court judgment itself").

The lower courts nevertheless treated Petitioner's claims as an impermissible collateral attack on state proceedings, relying in part on the existence of later-developed custody and termination orders. That reasoning misapplies *Rooker-Feldman*. The doctrine does not permit federal courts to decline jurisdiction merely because state-court proceedings have occurred or because a federal claim is related in some way to those proceedings. Rather, it applies only where a plaintiff complains of an injury caused by a state-court judgment itself. See *Lance v. Dennis*, 546 U.S. 459, 464 (per curiam).

Although Petitioner's complaint included a request for the return of her child, that request was made at a time when no termination order existed and when such relief remained legally available. The subsequent entry of a termination order does not retroactively transform Petitioner's independent constitutional claims into an appeal of a state-court judgment. Jurisdiction cannot be defeated by post-filing developments that alter the availability of particular forms

of relief. See Exxon Mobil Corp. v. Saudi Basic Industries Corp., 544 U.S. at 292 (jurisdiction depends on the nature of the claim at the time of filing).

Moreover, Petitioner was not afforded a meaningful opportunity to amend her complaint to account for the changed procedural posture. The termination proceedings concluded in close temporal proximity to the district court's dismissal of this action, leaving no practical opportunity for Petitioner to revise her requested relief. Petitioner was willing to amend her prayer for relief to conform to the evolving circumstances, but the district court dismissed the case on jurisdictional grounds without permitting amendment. See Forman v. Davis, 371 U.S. 178, 182 (leave to amend should be freely given when justice so requires).

Petitioner's claims remain analytically distinct from the validity of any state-court order. A ruling in her favor would not require a federal court to review or reject a state-court judgment, but only to determine whether state officials violated clearly established constitutional rights when they removed her child without a warrant or court order. That inquiry falls squarely within the scope of 42 U.S.C. § 1983 and outside the limit of *Rooker-Feldman*.

By extending the doctrine to bar jurisdiction over these independent claims, the lower courts departed from this Court's precedents and effectively insulated unconstitutional conduct from federal review.

This Court's intervention is necessary to restore the proper limits of *Rooker-Feldman* and ensure that federal courts remain open to vindicate constitutional rights.

**III. This Case Present an Important and Recurring Question Regarding Warrantless Child Seizures.**

This case presents an important and recurring constitutional issue: whether state actors may remove a child from parental custody without a warrant, court order, or exigent circumstances, and whether federal courts may decline to adjudicate such claims.

The right of parents to the care, custody and control of their children is a fundamental liberty interest recognized by this Court. See *Troxel v. Granville*, 530 U.S. 57, 65. The Court has likewise emphasized that "freedom of personal choice in matters of family life is a fundamental liberty interest protected by the Fourteenth Amendment". See *Santosky v. Kramer*, 455 U.S. 745, 753.

At the same time, lower courts have struggled to reconcile that right with abstention doctrines in cases involving child welfare investigations and the decision below effectively insulates unconstitutional conduct from federal review whenever a state custody proceeding is initiated after the fact.

This creates substantial risk that constitutional violations, particularly warrantless removals of children, will go unreviewed.

**IV. The Combined Application of *Younger* and *Rooker-Feldman* Eliminates Any Federal Forum.**

The lower courts' approach creates a structural problem:

- If state proceedings are ongoing → *Younger* bars the claim.
- If state proceedings are complete → *Rooker-Feldman* bars the claim.

This leaves plaintiffs with no forum at all for federal constitutional claims.

Such a result is incompatible with the purpose of 42 U.S.C. § 1983 and this Court's repeated insistence that both doctrines are narrow.

**V. This Case Presents a Clean Vehicle for Resolving the Questions Presented.**

The district court dismissed the action solely on jurisdictional grounds under the *Younger* abstention doctrine and the *Rooker-Feldman* doctrine, and the court of appeals affirmed on that basis without reaching the merits of Petitioner's constitutional claims. The relevant facts are straightforward and largely undisputed for purposes of the jurisdictional ruling, including the timing of the child's removal and the absence of a court order at the time removal occurred.

The questions presented are purely legal and were squarely raised and decided below. There are no procedural obstacles that would prevent this Court from addressing those questions, and resolution of the jurisdictional issues will determine whether Petitioner may proceed with her claims in federal court.

Accordingly, this case provides an ideal vehicle for clarifying the proper limits of federal abstention and jurisdiction in cases involving pre-deprivation constitutional violations.

**VI. The Courts of Appeals Are Divided on Whether Federal Courts May Exercise Jurisdiction Over § 1983 Claims Arising From Warrantless Child Seizures.**

The courts of appeals are divided on whether federal courts may exercise jurisdiction over claims brought under 42 U.S.C § 1983 alleging unconstitutional child removals that occur prior to the initiation of state judicial proceedings.

Several circuits have held that federal courts retain jurisdiction over such claims because they arise from completed, pre-judicial constitutional violations and do not interfere with ongoing state proceedings.

For example, the Ninth Circuit has held that claims challenging the warrantless removal of children without exigent circumstances are cognizable under § 1983 and are not barred by abstention doctrines where they are based on pre-proceeding

conduct. See Wallis v. Spencer, 202 F.3d 1126, 1137-38. The court emphasized that the constitutional violation is complete at the time of removal and may be adjudicated without disrupting later state proceedings.

Similarly, the Second Circuit has recognized that the warrantless seizure of a child, absent emergency circumstances, violates clearly established constitutional rights and may be challenged in federal court. See Tenenbaum v. Williams, 193 F.3d 581, 605.

These decisions reflect the principle that federal jurisdiction exists where a plaintiff challenges independent unconstitutional conduct by state actors, rather than the validity of a state-court judgment. See Skinner v. Switzer, 562 U.S. 521, 532.

In contrast, other courts, including the decision below, have applied *Younger* abstention and *Rooker-Feldman* doctrine to bar jurisdiction over such claims based on the existence of subsequent or ongoing state custody proceedings, even where the challenged conduct occurred before any judicial involvement.

Under that approach, the initiation or continuation of state proceedings is treated as sufficient to deprive federal courts of jurisdiction, effectively allowing later-developed state actions to extinguish federal review of earlier constitutional violations.

The divergence in authority produces materially different outcomes for similarly situated plaintiffs. In some circuits, individuals subjected to warrantless child removals may pursue damages and other relief in federal court. In others, including here, those same claims are categorically barred once state proceedings are underway or completed.

The conflict is both acknowledged and consequential. It turns on a fundamental question of federal jurisdiction: whether abstention doctrines may be used to foreclose review of completed constitutional violations based solely on the existence of related state proceedings.

This Court has repeatedly emphasized that both *Younger* abstention and *Rooker-Feldman* doctrine are "narrow" doctrines. See *Sprint Communications Inc. v. Jacobs* and *Exxon Mobil Corp. v. Saudi Basic Industries Corp.* Yet the decision below reflects an expansive application that conflicts with decisions permitting jurisdiction over materially indistinguishable claims.

This Court's review is warranted to resolve this division and to clarify whether federal courts must remain open to adjudicate claims arising from pre-deprivation constitutional violations, or whether such claims may be extinguished by the mere existence of related state proceedings.

## CONCLUSION

For the above-stated reasons, the petition for a writ of certiorari should be granted.

### **PRAYER FOR RELIEF**

Petitioner respectfully requests that this Court:

1. Grant the petition for a writ of certiorari;
2. Reverse the judgment below;
3. Remand for proceedings on the merits; and
4. Direct that, upon remand, Petitioner be afforded a meaningful opportunity to amend her complaint, including her prayer for relief.

Respectfully submitted,

---

Leanda Chaffins  
*Petitioner Pro Se*