

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

LINIA BURL

CIVIL ACTION

VERSUS

No. 17-12092

EMBRACE HOME LOANS, INC. ET AL.

SECTION I

ORDER & REASONS

Pro se plaintiff Linia Burl (“Burl”) moves the Court for a permanent injunction, permanent restraining order, and permanent stay of the sheriff’s foreclosure sale of her home located at 1447 Mithra Street in New Orleans, Louisiana. The Anti-Injunction Act provides that “[a] court of the United States may not grant an injunction to stay proceedings in a State court except [1] as expressly authorized by Act of Congress, [2] or where necessary in aid of its jurisdiction, or [3] to protect or effectuate its judgments.” 28 U.S.C. § 2283. “It has been interpreted consistently as an absolute bar to any federal court action that has the effect of staying a pending state court proceeding unless that action falls within one of the Act’s three specifically designated exceptions.” *Phillips v. Charles Schreiner Bank*, 894 F.2d 127, 131–32 (5th Cir. 1990) (holding that the Anti-Injunction Act precluded the issuance of a federal injunction staying state court foreclosure proceedings).

The foreclosure proceedings involving Burl’s home remain pending in state court.¹ Injunctive relief from this Court, therefore, cannot issue unless one of the three exceptions to the Anti-Injunction Act apply. Burl has not demonstrated, and

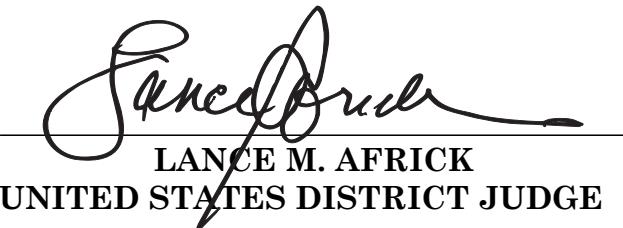
¹ See R. Doc. 1-1, at 1, 29.

the Court cannot surmise from her voluminous filings, how any of those exceptions entitle Burl to the relief she seeks.

Accordingly,

IT IS ORDERED that the plaintiff's motion for a permanent injunction, permanent restraining order, and permanent stay of the sheriff's foreclosure sale is **DENIED**.

New Orleans, Louisiana, November 16, 2017.



LANCE M. AFRICK
UNITED STATES DISTRICT JUDGE