

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

PEGGY ANN DUFF EL,

Petitioner,

v.

UNITED STATES OF AMERICA DEPT.
OF AGRICULTURE RURAL HOUSING
SERVICE, JOHN C. ALBERT and KENNETH
WM. JOST,

Respondents.

ORDER

07-C-031-C

On January 22, 2007, judgment was entered dismissing this lawsuit for lack of subject matter jurisdiction. Now, petitioner Peggy Duff El has filed a number of documents detailing her religious and political beliefs, as well as several papers in which she contests the decision of Judge John C. Albert to enter a judgment of foreclosure against her in Dane County, Wisconsin Circuit Court Case No. 2005-CV-3956, United States of America v. Peggy A. Duff. To the extent that I can discern the purpose behind petitioner's filing, I construe them as a motion for a stay in the forfeiture proceedings.

There are two reasons why petitioner's motion must be denied. First, petitioner's case

in this court ended when the court entered judgment. Second, as I explained in the January 22 order, petitioner may not sue Judge Albert in this court because he is entitled to judicial immunity. Finally, with rare exceptions not applicable to this case, federal courts do not enjoin ongoing state court proceedings. If petitioner believes that her rights are being violated in the context of the state proceedings, she may raise her claims before Judge Albert or on appeal to the Wisconsin Court of Appeals. General Auto Service Station LLC v. City of Chicago, 319 F.3d 902, 904 (7th Cir. 2003) (abstention generally proper in cases in which party has opportunity to raise constitutional arguments in state court); see also Younger v. Harris, 401 U.S. 37 (1971) (“the normal thing to do when federal courts are asked to enjoin pending proceedings in state courts is not to issue such injunctions”).

ORDER

IT IS ORDERED that petitioner Peggy Duff El’s motion for a stay of the proceedings in Dane County Case No. 2005-CV-3956 is DENIED.

Entered this 31st day of January, 2007.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge