

NONPRECEDENTIAL DISPOSITION

To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals
For the Seventh Circuit
Chicago, Illinois 60604

Submitted February 10, 2026*

Decided February 11, 2026

Before

FRANK H. EASTERBROOK, *Circuit Judge*

DAVID F. HAMILTON, *Circuit Judge*

DORIS L. PRYOR, *Circuit Judge*

No. 24-3231

MICHAEL A. MAXIE,
Plaintiff-Appellant,

v.

CRYSTAL BENNETT, et al.,
Defendants-Appellees.

Appeal from the United States District
Court for the Northern District of
Indiana, South Bend Division.

No. 3:22-CV-494-DRL-MGG

Damon R. Leichty,
Judge.

ORDER

Michael Maxie appeals the district court's denial of his postjudgment motion challenging the remand of his child-custody case to state court. We affirm.

* We have agreed to decide the case without oral argument because the briefs and record adequately present the facts and legal arguments, and oral argument would not significantly aid the court. FED. R. APP. P. 34(a)(2)(C).

After litigating a child-custody battle in state court for over a year, Maxie filed a notice of removal, seeking to remove the case to federal court under 28 U.S.C. § 1441. Soon thereafter, he filed a self-styled “motion to amend complaint.” The district court denied Maxie’s motion, deemed his challenges to the state court’s decisions barred by the *Rooker-Feldman* doctrine, and remanded the case to state court. Maxie appealed, but we dismissed the appeal for lack of jurisdiction, explaining that we do not have authority to review a remand order to state court if the ground for remand is based on a lack of subject-matter jurisdiction. *Maxie v. Bennett*, No. 22-2532 (7th Cir. Feb. 2, 2023).

Nearly two years later, Maxie moved the district court to set aside its judgment and reopen the case, *see* FED. R. CIV. P. 60(b)(4), asserting that the district court had jurisdiction to hear his allegations of constitutional violations by the state court. At the same time, Maxie moved to disqualify the district judge under 28 U.S.C. §§ 144 and 455(a), alleging racial bias and personal bias related to rulings in other civil cases. The court denied these motions, reiterated that the case was closed, and cautioned Maxie that further filings in this case could result in sanctions.

On appeal, Maxie again challenges the district court’s remand order, maintaining that his claims are constitutional in nature and that the court had subject-matter jurisdiction over them. But we generally lack authority to review an order remanding a case to state court if the ground for remand is based on a lack of subject-matter jurisdiction, 28 U.S.C. § 1447(d), absent certain exceptions not applicable here, *id.* §§ 1442 (federal-officer removal provision), 1443 (civil-rights removal provision). *See Girard v. Girard*, 160 F.4th 845, 847–48 (7th Cir. 2025).

Maxie also renews his charge that the district judge was biased against him based on Maxie’s race, his prior civil allegations against the judge, and the judge’s earlier adverse rulings. But the standard for recusal, under 28 U.S.C. § 144, is whether there is support for a finding of actual bias or prejudice, and under 28 U.S.C. § 455(a), whether a reasonable, well-informed observer would question the judge’s impartiality. *See United States v. Barr*, 960 F.3d 906, 919–20 (7th Cir. 2020). And Maxie does not include any allegations that would cause the district judge’s impartiality to be questioned by a reasonable, well-informed observer.

We close with a word about sanctions. Since 2009, Maxie has filed 18 appeals in this court, including five since 2022. He already has been warned by the district court that further filings in this case could result in sanctions. We now warn Maxie that further repetitive and frivolous filings in this court may result in sanctions, including

finer that, if unpaid, may result in a bar on filing papers in civil lawsuits in any court within this circuit. *See Support Sys. Int'l, Inc. v. Mack*, 45 F.3d 185, 186 (7th Cir. 1995).

AFFIRMED