

United States Court of Appeals for the Fifth Circuit

No. 25-50555
CONSOLIDATED WITH
No. 25-50992
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

October 19, 2026

Thomas B. Plunkett, III
Clerk

MISCHA ADORARE,

Plaintiff—Appellant,

versus

SPILLMAN RANCH HOMES, L.P., *Registered Agent CT Corporation*
Systems; NRP GROUP,

Defendants—Appellees.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 1:23-CV-1525

Before JONES, HO, and WILSON, *Circuit Judges*.

PER CURIAM:*

In September 2022, Mischa Adorare moved into a townhome owned and operated by Spillman Ranch Homes. Adorare's tenure there was marked

* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

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by a series of disagreements which culminated in July 2024 when a Travis County Court ordered her eviction. Adorare has filed many complaints and several lawsuits with Texas state courts and administrative agencies, alleging various harms during this period.

In December 2023, Adorare sued Spillman in the Western District of Texas on three claims: (1) failure to accommodate under the federal Fair Housing Act (FHA), 42 U.S.C. § 3601 et seq.; (2) FHA discrimination based on race, gender, and disability; and (3) FHA retaliation. Following exhaustive motions practice, Adorare moved for summary judgment. She also continued to file other motions, and was finally ordered to obtain the leave of court before filing any more.

The district court denied Adorare's motion for summary judgment and granted it for Spillman. Adorare moved to set aside the judgment under FEDERAL RULE OF CIVIL PROCEDURE 60, arguing that Spillman had committed a fraud upon the Court. She also moved to recuse the district judge for bias. In November, the district court denied both motions. Notably, this order construed Adorare's RULE 60 motion as a RULE 59 motion to amend the judgment, but it also still explained why a RULE 60 argument would fail.

Before this court, Adorare makes essentially four arguments: (1) the summary judgment order was improper as a matter of law and violated the Seventh Amendment, (2) the district court erred in denying her motion to set aside the judgment, (3) the order requiring leave to file additional motions abridged her procedural and constitutional rights, and (4) the denial of recusal was in error. Each argument fails.

First, "[t]his court reviews a district court's grant of summary judgment, including on cross-motion, *de novo*." *Willis v. Barry Graham Oil Serv., L.L.C.*, 122 F.4th 149, 153 (5th Cir. 2024). We have carefully

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considered this appeal in light of the district court's opinion and pertinent portions of the record. After review, we conclude that the district court was correct that there is no question of material fact which makes summary judgment improper. Adorare's Seventh Amendment claims fails for the same reason. *See Parklane Hosiery Co. v. Shore*, 439 U.S. 322, 336, 99 S. Ct. 645, 654 (1979).

Second, under either Rule 59(e) or 60(b), we review the denial of a motion for reconsideration for abuse of discretion. *See Carter v. Fenner*, 136 F.3d 1000, 1005 (5th Cir.1998). The district court, as explained in its thorough and well-reasoned order, did not abuse its discretion by denying Adorare's unfounded motion to set aside the judgment.

Third, in ordering Adorare to seek leave for filing additional motions, the district court did not abuse its broad, inherent discretion to manage its own docket. *U.S. Abatement Corp. v. Mobil Exploration & Producing U.S., Inc.*, 39 F.3d 556, 560 (5th Cir. 1994). The constitutional arguments against this order, raised for the first time on appeal, are forfeited. *Little v. Liquid Air Corp.*, 37 F.3d 1069, 1071 n.1 (5th Cir.1994).

Fourth, "[t]his court reviews denials of motions to recuse for abuse of discretion." *Andrade v. Chojnacki*, 338 F.3d 448, 454 (5th Cir. 2003). For essentially the reasons explained in its order, the district court did not abuse its discretion in denying the motion to recuse.

The judgment is AFFIRMED.