

NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 23-3274

URVE MAGGITTI,
Appellant

v.

HONORABLE JOHN P. CAPUZZI, SR., In his Official Capacity as Judge; DEBRA RYAN, District Attorney, in her Official Capacity as District Attorney; DANIEL E. ROLAND, Assistant District Attorney, in his Official Capacity as Assistant District Attorney; SANTINA PESCATORE, Assistant District Attorney, in her Official Capacity as Assistant District Attorney

On Appeal from the United States District Court
for the Eastern District of Pennsylvania
(D.C. Civil Action No. 2:23-cv-03185)
District Judge: Honorable Kelley B. Hodge

Submitted Pursuant to Third Circuit LAR 34.1(a)
September 3, 2026
Before: BIBAS, CHUNG, and BOVE, *Circuit Judges*

(Opinion filed: September 4, 2026)

OPINION*

PER CURIAM

* This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not constitute binding precedent.

Urve Maggitti, proceeding pro se, appeals from the District Court’s dismissal of her complaint seeking a declaratory judgment pertaining to her state court criminal proceedings and its denial of her judicial recusal and disqualification motions. We will affirm the judgment of the District Court.

I.

Maggitti filed a complaint in the District Court, seeking a declaratory judgment affirming various rights she believes were violated during her then-ongoing Pennsylvania state court criminal proceedings, which stem from her unauthorized use of a recording device during her divorce hearing. The District Court consolidated her case with three of her other civil actions related to her state-court divorce and criminal proceedings. The District Court then issued an order addressing each of the consolidated actions—it dismissed with prejudice the declaratory judgment action from which this appeal stems, Civ. No. 23-03185, based on the principle of *Younger*¹ abstention. It also specified that Maggitti should only submit filings in Civ. No. 23-02273, which it previously had designated the lead case.²

Maggitti filed a timely appeal and a timely motion for reconsideration. While her motion for reconsideration was pending, her consolidated actions, including the later consolidated case, were reassigned to a new District Judge. Over the course of the next

¹ *Younger v. Harris*, 401 U.S. 37, 43 (1971).

² Roughly 10 months later, another of Maggitti’s civil cases, was consolidated with this batch of cases.

year, she filed several motions seeking recusal or disqualification of that District Judge. The District Court then issued an order denying her recusal and disqualification motions as moot, because she did not file them in the lead case, Civ. No. 23-02273.³ Maggitti filed a timely notice of appeal from that order, which was docketed as an amended Notice of Appeal in this appeal.⁴

II.

We have appellate jurisdiction pursuant to 28 U.S.C. § 1291. *See Hall v. Hall*, 584 U.S. 59, 78 (2018) (holding that when one of several consolidated cases is finally decided, that decision is immediately appealable). We exercise plenary review over a district court's decision to abstain under *Younger*, *see PDX N., Inc. v. Comm'r N.J. Dep't of Lab. & Workforce Dev.*, 978 F.3d 871, 882 n.11 (3d Cir. 2020), but we do not consider issues Maggitti does not raise on appeal. *See In re Wettach*, 811 F.3d 99, 115 (3d Cir. 2016) (explaining that litigants forfeit claims that they fail to develop in an opening brief). We review a denial of a recusal or disqualification motion under an abuse of

³ In the same order, the District Court denied, *inter alia*, a nearly identical motion for disqualification filed in another of the consolidated cases. The District Court noted that duplicative recusal and disqualifications motions had been filed in nearly all Maggitti's cases, and then denied the motion on the merits because Maggitti failed to identify instances of the Judge's bias or prejudice.

⁴ In February 2025, the District Court denied Maggitti's motion for reconsideration. Because Maggitti did not file an amended notice of appeal after the District Court's denial of her Rule 59(e) motion, we do not review any challenge that order. *See Fed. R. App. P. 4(a)(4)(B)(ii)*; *Carrascosa v. McGuire*, 520 F.3d 249, 253-54 (3d Cir. 2008).

discretion standard. *See Securacomm Consulting, Inc. v. Securacom Inc.*, 224 F.3d 273, 278 (3d Cir. 2000).

III.

As an initial matter, Maggitti contests the District Court’s consolidation of the case underlying this appeal with several of her other civil cases, and argues that the Court’s refusal to consider motions filed in cases other than the lead case deprived her of due process rights. Maggitti has already presented this argument to our Court, via an appeal of another of the consolidated cases. *See Maggitti v. Pullano*, No. 25-1172, 2026 WL 687233, at *2 (3d Cir. Mar. 11, 2026). As we explained there, “the District Court acted well within its discretion in consolidating this action with the others, and Maggitti’s rights to pursue her claims in this case were not undermined by the consolidation.” *Id.* The restriction to filing on one docket is not a violation of her rights, but rather an appropriate exercise of docket management. *See id.*; *In re Fine Paper Antitrust Litig.*, 685 F.2d 810, 817 (3d Cir. 1982).

Maggitti also seeks to relitigate her argument that the District Court abused discretion in denying her judicial recusal and disqualification motions. *See Maggitti*, 2026 WL 687233, at *2. Maggitti filed duplicative recusal and disqualification motions in several cases, including the case underlying this appeal, and after her arguments were considered and denied on the merits in the lead case, duplicative motions in the other cases were deemed moot. As we previously explained, the District Court did not err in engaging in this manner of docket management. *See Maggitti*, 2026 WL 687233, at *2.

And, in any event, Maggitti has not identified any reason that the Judge’s “impartiality might reasonably be questioned,” or pointed to an indication of “personal bias or prejudice,” 28 U.S.C. § 455(a), (b)(1), and we do not discern any. Maggitti’s objections instead stem from the Judge’s adverse rulings against her, but “a party’s displeasure with legal rulings does not form an adequate basis for recusal.” *Securacomm Consulting*, 224 F.3d at 278.

Finally, we do not address the Court’s decision to abstain pursuant to *Younger* because Maggitti did not contest that issue in her appellate brief, thereby forfeiting any challenge to that holding. *See In re Wettach*, 811 F.3d at 115. Although Maggitti included a two-page section of her brief entitled “Alternative Merits Preservation,” she does not address the District Court’s holding at all or, nor does she offer any specific challenges to the District Court’s judgment. That is insufficient to preserve the issue on appeal because, as our Court has explained, “[t]o be preserved, all arguments must be supported specifically by the reasons for them, with citations to the authorities and parts of the record on which the appellant relies.”⁵ *Barna v. Bd. of Sch. Directors of Panther Valley Sch. Dist.*, 877 F.3d 136, 145 (3d Cir. 2017) (quotation marks omitted).

⁵ Even had Maggitti preserved her challenge to the District Court’s abstention decision, her complaint is now moot because her criminal case has been completed. *See* Court of Common Pleas Criminal Docket No. CP-15-CR-0001735-2023. The declaratory judgment she seeks would now serve only to adjudicate past conduct, which is an improper application of declaratory relief. *See Waller v. Hanlon*, 922 F.3d 590, 603 (5th Cir. 2019); *CMR D.N. Corp. v. City of Philadelphia*, 703 F.3d 612, 628 (3d Cir. 2013) (explaining that a declaratory judgment is “prospective in nature”).

Accordingly, we will affirm the judgment of the District Court dismissing the case and the later order denying Maggitti's recusal and disqualification motions.