

2022-25575 / Court: 127
CAUSE NO. _____

Julie Torres,
Plaintiff(s),

v.

Midfirst Bank,
Defendant(s),

§ IN THE DISTRICT COURT OF
§
§
§ HARRIS COUNTY, TEXAS
§
§
§ _____ JUDICIAL DISTRICT
§

TEMPORARY EX PARTE RESTRAINING ORDER, ORDER TO POST BOND, AND ORDER
SETTING HEARING FOR TEMPORARY INJUNCTION AND TEMPORARY ORDERS

I.

On this ____ day of April 2022, JULIE TORRES, Plaintiff in the above-entitled and -numbered cause, has filed and on this day presented an Original Petition containing Motions For Temporary Injunction and For Ex Parte Temporary Restraining Orders, with relevant and pertinent portions thereof supported with affidavits, pursuant to Section 5 of Part VI of the Texas Rules of Civil Procedure.

THE COURT, having examined the pleadings, FINDS that it clearly appears from the facts set forth in the affidavits and pertinent portions of Plaintiff JULIE TORRES's Original Petition containing Motions For Temporary Injunction and For Ex Parte Temporary Restraining Orders that unless the Defendant Midfirst Bank, is immediately restrained as Ordered, Adjudged, and Decreed below in this section `I', that such Defendant will irreparably cause harm to Plaintiff JULIE TORRES before notice can be given and a hearing is had on Plaintiff' motion for a temporary injunction; because, the Defendant will foreclose on certain property specified in section I. [Notice was provided to Defendant prior to hearing.](#)

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the clerk of this Court issue a temporary restraining order, in this cause, immediately restraining Defendant, Midfirst Bank, from the following acts from the date of signing of this order until and to the fourteenth day after the signing of this order or until further order of this Court:

1. The sale scheduled to be held at May 3, 2022 by the substitute trustee, Attorneys of Barrett Daffin Frappier Turner & Engel, LLP, in the area of the Harris County Courthouse in Houston, Texas, designated by the Commissioner's Court pursuant to Section 51.002 of the Texas Property Code as a place where the foreclosure sale is to take place of 5039 Azalea Trace Drive, Houston, Texas 77066.
2. Reposting said property for foreclosure sale or otherwise engaging in any foreclosure preparatory activities.

IT IS ORDERED, ADJUDGED, AND DECREED that the foregoing orders shall be binding on Defendant; on Defendant's agents, servants and employees; and on those persons in active concert or participation with them who receive actual notice of these Orders by personal service or otherwise.

IT IS ORDERED, ADJUDGED, AND DECREED that Plaintiff post a bond of

II.

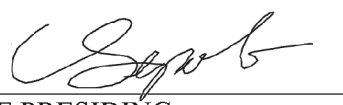
IT IS FURTHER ORDERED that the Clerk shall issue notice to Defendant Midfirst Bank, to appear and such Defendant is hereby ordered to appear, before this Court in the Courthouse at 201 Caroline Street, Houston, Texas 77002 on May 11, 2022, at 12:30 p.m., to show cause, if any, why the following temporary injunctive and other interim relief should not be granted as requested by Plaintiff during the pendency of this cause:

1. That the preceding temporary restraining orders in sections 'I' be made a temporary injunction pending final hearing in this cause;
2. That the additional orders and temporary injunctions requested by Plaintiff be granted;
3. That all other orders should be entered or further relief granted respecting the parties as pled for by Plaintiff in Plaintiff's Original Petition in this cause.

UPON THE PLAINTIFF POSTING A BOND OF \$100.00, THE CLERK OF THIS COURT IS DIRECTED TO ISSUE A TEMPORARY RESTRAINING ORDER IN CONFORMITY WITH THE LAW AND THE TERMS OF THIS ORDER.

SIGNED on April _____, 2022, at _____ o'clock ____ .m.

Signed:
4/29/2022
11:13 AM
JUDGE PRESIDING



Approved as to Substance and Form

/s/ James Minerve

James Minerve
State Bar No. 24008692
13276 N HWY 183, ste. 209
Austin, Texas 78750
(888) 819-1440 (Office)
(210) 336-5867 (Mobile)
(888) 230-6397 (Fax)
jgm@minervelaw.com
Attorney for Plaintiff
Julie Torres