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TROK
STBNX
CASO

CAUSE NO. 2023-27202

NA GUO INDIVIDUALLY
AND ON BEHALF OF
SKYLIGHT PROPERTY LLC,
Plaintiff,

vs.

INVESTOR LENDING, LLC,
Defendant.

§ IN THE DISTRICT COURT
§
§
§
§
§ 01st JUDICIAL DISTRICT COURT
§
§ HARRIS COUNTY, TEXAS

FILED
Marilyn Burgess
District Clerk
MAY 02 2023
10:00am
Harris County, Texas
By DP
Deputy

TEMPORARY INJUNCTION AND RESTRAINING ORDER
AND ORDER SETTING HEARING FOR TEMPORARY ORDERS

The application of Plaintiffs, **NA GUO INDIVIDUALLY AND ON BEHALF OF SKYLIGHT PROPERTY LLC**, for Emergency Exparte Temporary Injunction and Restraining Order was presented to the Court on this ___th day of May, 2023. Defendant is **INVESTOR LENDING, LLC, along with its unknown Substitute Trustee.** The Court examined the pleadings, affidavit and exhibits of Plaintiffs **NA GUO INDIVIDUALLY AND ON BEHALF OF SKYLIGHT PROPERTY LLC**, and finds:

1. that Plaintiff is entitled to a Temporary Injunction and Restraining Order forbidding the Defendant from selling the house located at 1103 Briar Park Dr, Houston, Texas 77042 at the foreclosure scheduled for May 2, 2023;
2. that Defendant did not notice the foreclosure as is required by the Texas Property Code;
3. that there are issues on the interest applied to the outstanding balance as there are claims of usury and evidence of the usury pursuant to the Texas Finance Code has been presented and recognized by the court as an issue to be addressed in a hearing for temporary injunction;
4. and issue a restraining order be issued without notice to the Defendant restraining the defendant, its agents, servants, and employees, form directly

or indirectly foreclosing the property located at 1103 Briar Park Dr, Houston, Texas 77042 as the facts set forth in the Plaintiffs' Original Petition and Injunction, the exhibits and sworn affidavit attached thereto, that unless Defendant is immediately restrained from the acts prohibited below, as Defendant will commit such acts before notice can be given and a hearing can be held on the Plaintiff's request for a Temporary Injunction. Further, Defendant will cause the loss of his property at a foreclosure sale when in fact there are no legal grounds for the foreclosure. Such injury would be irreparable to Plaintiff.

A. **IT IS THEREFORE ORDERED** that the clerk of this Court issue a Temporary Injunction and Restraining Order Stopping Defendant and his agents, assigns, employees and representatives, constables, sheriffs, etc., from selling the house located at 1103 Briar Park Dr, Houston, Texas 77042 at the foreclosure sale noticed for scheduled for May 2, 2023 and restraining Defendant, his officers, agents, servants, any and all substitute trustees, employees, attorneys and any other persons in active concert or participation with them who receive actual notice of this order by personal service or otherwise, whether acting directly or through any trust, corporation subsidiary, division, or other devise, shall be restrained from engaging in the following acts or practices:

1. **Be and is hereby immediately restrained, from selling the house located at 1103 Briar Park Dr, Houston, Texas 77042 at the foreclosure scheduled for May 2, 2023.**

B. **IT IS FURTHER ORDERED** that the Clerk of the above-entitled Court shall forthwith issue an temporary restraining **Defendant and all substitute trustees** order

in conformity with the law and the terms of this Order. This order shall be effective without/with the execution of a bond.

C. **IT IS FURTHER ORDERED** that the clerk shall issue notice to Defendant, to appear before this Court in the courthouse in Harris County, Texas, on _____ at _____ m. The purpose of the hearing is to determine whether, while this case is pending:

1. The preceding temporary injunction and order restraining the constable or any other authority from selling the house located at 1103 Briar Park Dr, Houston, Texas 77042 at the foreclosure scheduled for May 2, 2023.

2. Plaintiffs is to pay a bond in the amount of \$ 250.⁰⁰. The bond is to be placed into the registry of the court and to be applied to the issuance of this temporary restraining order. This order will become effective upon the payment of this bond.

3. A hearing on whether or not a temporary injunction and/or permanent restraining order will be issued is set for May 11, 2023 at 1:30 p.m.

IT IS FURTHER ORDERED that any authorized person eighteen years of age or older who is not a party to or interested in the outcome of this case may serve any citation, notice, or process in this case.

SIGNED on May 2, 2023 at 9:59 AM

JUDGE PRESIDING