

2023-67434 / Court: 125

CAUSE NO. _____

Wesley White,
Plaintiff(s),

v.

**US Bank National Association as Trustee
Successor in interest to Wachovia Bank
National Association as Trustee for
Salomon Brothers Mortgage Securities
VII Inc Mortgage Pass Through
Certificates Series 2003 1,**
Defendant(s),

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

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

I.

On this _____ day of September 2023, WESLEY WHITE Plaintiff in the above-entitled and - numbered cause, have 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 Wesley White’s Original Petition containing Motions For Temporary Injunction and For Ex Parte Temporary Restraining Orders that unless Defendant, US BANK NATIONAL ASSOCIATION AS TRUSTEE SUCCESSOR IN INTEREST TO WACHOVIA BANK NATIONAL ASSOCIATION AS TRUSTEE FOR SALOMON BROTHERS MORTGAGE SECURITIES VII INC MORTGAGE PASS THROUGH CERTIFICATES SERIES 2003 1, is immediately restrained as Ordered, Adjudged, and Decreed below in this section `I`, that such Defendant will irreparably cause harm to Plaintiff Wesley White before notice can be given and a hearing is had on Plaintiff’s motion for a temporary injunction; because, the Defendant will foreclose on certain property specified in section I.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the clerk of this Court issue a temporary restraining order, in this cause, immediately restraining Defendant, US BANK NATIONAL ASSOCIATION AS TRUSTEE SUCCESSOR IN INTEREST TO WACHOVIA BANK NATIONAL ASSOCIATION AS TRUSTEE FOR SALOMON BROTHERS MORTGAGE SECURITIES VII INC MORTGAGE PASS THROUGH CERTIFICATES SERIES 2003 1, 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 on October 3, 2023, by the substitute trustee, **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 6219 Squires Court, Spring, Texas 77389.
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 \$100.00.

II.

IT IS FURTHER ORDERED that the Clerk shall issue notice to US BANK NATIONAL ASSOCIATION AS TRUSTEE SUCCESSOR IN INTEREST TO WACHOVIA BANK NATIONAL ASSOCIATION AS TRUSTEE FOR SALOMON BROTHERS MORTGAGE SECURITIES VII INC MORTGAGE PASS THROUGH CERTIFICATES SERIES 2003 1, to appear and such Defendant is hereby ordered to appear, before this Court in the Courthouse at 201 Caroline Street, Houston, Texas 77002 on October 13, 2023, at 11:00 a.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 Original Petition in this cause.

UPON THE PLAINTIFF POSTING A BOND OF \$100, 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 _____, 2023, at _____ o'clock ____ m.

Signed: 
9/29/2023 1:24 pm

JUDGE PRESIDING

Approved as to Substance and Form

/s/ James Minerve

James Minerve

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