

2023-75361 / Court: 80

CAUSE NO. _____

JEFFREY PAYNE

v.

**CARRINGTON MORTGAGE
SERVICES, LLC**

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**IN THE DISTRICT COURT OF
HARRIS COUNTY, TEXAS**

TEMPORARY RESTRAINING ORDER

ON THIS DATE Plaintiff's Application for Temporary Restraining Order was heard and considered before this Court. Based upon the pleadings, exhibits, records, and documents filed by Plaintiff and presented to the Court, as well as the arguments of legal counsel at the hearing, IT CLEARLY APPEARS THAT:

A. Unless Carrington Mortgage Services, LLC, their agents, employees, directors, shareholders, and legal counsel are immediately enjoined and restrained, Carrington Mortgage Services, LLC will proceed with a foreclosure sale of Plaintiff's property commonly known as 8123 17th Green Drive, Humble, TX 77346 and Plaintiff will suffer an immediate and irreparable harm and will have no adequate remedies under the law, and may commit the foregoing before notice and hearing on Plaintiff's Application for Temporary Injunction.

B. Plaintiff will suffer an irreparable harm if Carrington Mortgage Services, LLC, their agents, employees, directors, shareholders, and legal counsel are not restrained immediately because Plaintiff will lose his fee simple title and ownership of his Property, which is Plaintiff's residence and homestead and is thus unique and irreplaceable, and there is no adequate remedy at law to grant Plaintiff complete, final, and equitable relief.

C. Plaintiff has provided notice to Carrington Mortgage Services, LLC informing them of the filing of Plaintiff's Application for Temporary Restraining Order prior to this Court conducting this hearing.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Carrington Mortgage Services, LLC, their agents, employees, directors, shareholders, and legal counsel are hereby ORDERED to immediately cease and desist from attempting or proceeding with any foreclosure sale of Plaintiff's property commonly known as 8123 17th Green Drive, Humble, TX 77346 as well as from taking any legal action to evict Plaintiff and any other occupants from, or enforcing a writ of possession regarding, the aforementioned property. Carrington Mortgage Services, LLC, their agents, employees, directors, shareholders, and legal counsel are hereby immediately enjoined and restrained from the date of entry of this Order until fourteen (14) days hereafter, or until further ordered by this Court.

IT IS FURTHER THEREFORE ORDERED, ADJUDGED, AND DECREED that Plaintiff's Application for Temporary Injunction be heard on the 10 day of November, 2023 starting at 2:30 ~~a.m.~~ /p.m. and that Carrington Mortgage Services, LLC is commanded to appear at that time and show cause, if any, why a temporary injunction should not be issued against Carrington Mortgage Services, LLC

The Clerk of the above-entitled court shall issue a notice of entry of a temporary restraining order in conformity with the law and the terms of this Order, to include a copy of this Order, upon the filing by Plaintiff of the bond hereinafter set.

This Order shall not be effective until Plaintiff deposits with the Harris County District Clerk a bond in the amount of \$ 500 in due conformity with applicable law.

SIGNED and ENTERED this the _____ day of November 2023, at _____ a.m./p.m.

Signed:
11/2/2023
11:44 AM



PRESIDING JUDGE