

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

CRAIG A DODDS
Plaintiff

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v.

CIVIL ACTION NO. 4:24-cv-00543

CARRINGTON MORTGAGE
SERVICES LLC
Defendant.

PLAINTIFF’S MOTION TO EXTEND TEMPORARY RESTRAINING ORDER

Craig Dodds, by and through his attorney of record, moves the court pursuant to Fed. R. Civ. P. 65(b), for its order extending the temporary restraining order issued in this case on February 5, 2024. The grounds for this motion are that the injunction hearing set for this case was dismissed following the defendant’s removal of this case from district court to federal court. Furthermore, the previous temporary restraining order will expire by operation of law before a judgement can be issued as to the merits of the case.

Respectfully submitted,

LAND, LABOR & CAPITAL
5718 Westheimer Rd.
Suite 1000
Houston, TX 77057
tel: 832-305-7677
fax: 281-848-6702

By: /s/ Marcella Hagger
Marcella A. Hagger
Texas Bar No: 24093491
Mahagger.legal@gmail.com
Attorney for Plaintiff Craig Dodds

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document was served in compliance with the Texas Rules of Civil Procedure upon all counsel of record and each party to this suit by certified mail, electronic service, hand-delivery, or fax on the 17th day of February 2024:

Via E-Mail

Mgutierrez@bradley.com

Melissa Gutierrez Alonso

600 Travis Street, Ste. 5600

Houston, TX 77002

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CIVIL ACTION NO. 4:24-cv-00543

**CARRINGTON MORTGAGE
SERVICES LLC**
Defendant.

**AFFIDAVIT IN SUPPORT TO EXTEND PLAINTIFF’S TEMPORARY RESTRAINING
ORDER**

I, Marcella Hagger, counsel for plaintiff, Craig Dodds, , being duly sworn, state in support of plaintiff’s motion to extend a Temporary Restraining Order issued by order of the district court on February 5, 2024 that:

- 1. By its terms and pursuant to Fed. R. Civ. P. 65(b), the temporary restraining order issued by the district court will expire on February 18, 2024, unless extended by order of this court.
- 2. The date of the hearing on plaintiff’s motion for a preliminary injunction was set in district court for February 15, 2024, was not held due to defendant removing this case from district court to federal court.
- 3. The circumstances justifying issuance of the original temporary restraining order, as set forth in the Plaintiff’s Original Verified Petition and affidavit of Craig Dodds, have not changed.

Respectfully submitted,



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By: /s/ Marcella Hagger
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Houston, TX 77002



VERIFICATION

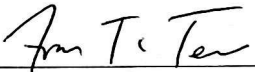
STATE OF Louisiana §
COUNTY OF Rapides Parish §
§

BEFORE ME, the undersigned authority, personally appeared Marcella Hagger who, on oath, stated that the statements made in the foregoing Plaintiff's Motion to Extend Temporary Restraining Order are true and correct and within her personal knowledge.

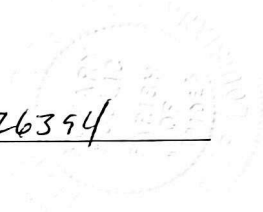


Marcella Hagger

SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned authority, on this the 17th day of February 2024, by Marcella Hagger.

 #026394

Notary Public
Frances T. Tennie



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

CRAIG A DODDS
Plaintiff

v.

**CARRINGTON MORTGAGE
SERVICES LLC**
Defendant.

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CIVIL ACTION NO. 4:24-cv-00543

ORDER EXTENDING TEMPORARY RESTRAINING ORDER

The court has considered the motion by Craig Dodds, as plaintiff, under Fed. R. Civ. P. 65(b) for an order extending until the Temporary Restraining Order until March 2, 2024, the temporary restraining order issued by this court against Carrington Mortgage Services, LLC., as defendant, on February 5 2024; and the affidavit of Craig Dodd plaintiff's attorney, in which it appears that defendant will commit the acts described in this court's temporary restraining order. It further appears that plaintiff will suffer immediate and irreparable injury, loss and damage unless such temporary restraining order is extended to March 2, 2024, pending a determination of plaintiff's motion for a preliminary injunction, in that Defendant could foreclose on the property before the merits of this case can be heard.

THEREFORE IT IS ORDERED that such temporary restraining order is extended and will continue in full force and effect to and including March 2, 2024, pending a hearing on and determination of plaintiff's motion for a preliminary injunction, and subject to further order of this court.

Dated: _____

[Name of judge]

[Title of judge]