

2024-06592 / Court: 125

Cause No: _____

GILBERT FLORES, JR.,)	IN THE DISTRICT COURT
)	
)	
Plaintiff,)	
v.)	_____ JUDICIAL DISTRICT
)	
LOANDEPOT.COM, LLC,)	
)	
)	
Defendant.)	OF HARRIS COUNTY, TEXAS

TEMPORARY RESTRAINING ORDER

On this date, the Application for a Temporary Restraining Order filed herein by Plaintiff, Gilbert Flores, Jr., (hereinafter "Plaintiff") that was incorporated into and pleaded in the Plaintiff's Original Petition and Application for Temporary Restraining Order, Temporary Injunction, and Permanent Injunction (hereafter "**Petition**"), in this cause, 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 counsel at the hearing. IT CLEARLY APPEARS:

1. That unless Defendant, **Loandepot.com, LLC**, and/or their various agents, employees, attorneys, trustees, and substitute trustees (hereinafter "Defendant") are immediately enjoined and restrained, Defendant will proceed with a foreclosure sale of the Plaintiff's property, identified and described in the Petition, and Plaintiff will suffer an immediate and irreparable harm and will have no adequate remedies under the law, and Defendant will commit the foregoing before notice and a hearing on Plaintiff's Application for Temporary Injunction.

2. Plaintiff will suffer irreparable harm if Defendant, **Loandepot.com, LLC**, and/or

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their various agents, employees, attorneys, trustees, and substitute trustees are not restrained immediately because Plaintiff will lose fee simple title and ownership of the property, which is unique and irreplaceable, and there is no adequate remedy at law to grant Plaintiff complete, final and equitable relief.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Defendant, **Loandepot.com, LLC**, and/or their various agents, employees, attorneys, trustees, and substitute trustees, are hereby ORDERED to immediately cease and desist from attempting or proceeding with any foreclosure sale of Plaintiff's property identified and described in the Petition, and which is commonly known 811 Macy Dr, Troy, TX 76579. Defendant is hereby immediately enjoined from the date of entry of this order until fourteen (14) days hereafter, or until further order of this Court.

IT IS FURTHER THEREFORE ORDERED, ADJUDGED AND DECREED that Plaintiff's Application for Temporary Injunction be heard on the 16th day of February, 2024, at 11:00 o'clock A.M. in the courtroom of the 125th Judicial District of Harris County located in the Harris County Courthouse, 201 Caroline, Houston, TX, and that Defendant is commanded to appear at that time, and are afforded an opportunity to explain why a temporary injunction should not be issued against said Defendant.

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

This Order shall not be effective until Plaintiff deposit with Harris County District Clerk a bond in the amount of ~~\$100.00~~ ^{\$850.00}, in due conformity with applicable law. The bond may be in the form of cash, a cashier's check, attorney check, surety bond, or applied against any funds being held by the said District Clerk.

Signed and Entered on this the _____ day of _____, 202_ at _____.

Signed: *Robert K. Stuber*
2/5/2024 1:56 pm
JUDGE PRESIDING

Unofficial Copy Office of Marilyn Burges District Clerk