

2024-34684 / Court: 151

CAUSE NO. _____

ISAAC L FORD and TRACY FORD

Plaintiff,

v.

**SELENE FINANCE and U.S. BANK TRUST
 NATIONAL ASSOCIATION, not in its
 individual capacity but solely as owner trustee for
 RCF 2 Acquisition Trust, and their successors
 and assigns**

Defendants.

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IN THE DISTRICT COURT

_____ JUDICIAL DISTRICT

OF HARRIS COUNTY

PLAINTIFFS ORIGINAL VERIFIED PETITION AND APPLICATION
TEMPORARY RESTRAINING ORDER

On this date the Application for a Temporary Restraining Order of Plaintiffs, Isaac L. Ford and Tracy Ford, that was incorporated into the Plaintiffs' Original Verified Petition and Application for Temporary Restraining Order and Temporary Injunction ("Petition") filed in this cause, was heard, and considered before this court.

Based upon the pleadings, exhibits, records, and documents filed by counsel and presented to the Court, as well as the arguments of counsel at the hearing, IT CLEARLY APPEARS:

- A. That unless Defendants its/their successors and/or assigns ("Defendants"), is immediately restrained and enjoined, the Defendants will proceed with efforts to foreclose on Plaintiffs property described in her Petition, and Plaintiff will suffer an immediate and irreparable harm and will have no adequate remedies under the law on Plaintiffs property described in their petition, and the Defendants will commit the foregoing before notice and a hearing on Plaintiffs Application for

Temporary Injunction.

B. Plaintiff will suffer an immediate and irreparable harm if the Defendants, and/or any of its/their agents, employees, attorneys, trustees, substitute trustees, successors and/or assigns are not restrained immediately because Plaintiff will lose fee simple title, ownership and possession of her property, which is 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 the Defendants through its/their local foreclosure counsel, Barrett Daffin Frappier Turner & Engel, LLP which is the local attorney acting as substitute trustee under the deed of trust on behalf of Defendants, of the filing of Plaintiff's Petition at least two (2) hours before this Court conducted this hearing and has provided the Court with a Certificate of Conference to evidence the same as required by the Local Rules of the Harris County District Courts.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Defendants, and each of their agents, employees, attorneys, trustees, substitute trustees, successors and/or assigns are hereby ORDERED to immediately cease and desist from proceeding with any and all efforts to foreclose upon Plaintiff's property described in the Plaintiff's Petition, which is commonly known as 6502 Centre Place Circle Spring, TX 77379, and that the Defendant is hereby immediately enjoined and restrained from the date of entry of this order until fourteen (14) days hereafter, or until further order of this Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff's Application for Temporary Injunction be heard on June 14, 2024 at 1:30 o'clock p.M. in the courtroom of the 151st Judicial District Court of Harris County located in the located at, 201 Caroline, 11th Floor, Houston, Texas 77002, and that the Defendants is/are commanded

to appear at that time and provide reasons, if any, 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 the terms of this order, to include a copy of this order, upon the posting by Plaintiff of the bond hereinafter set forth.

This order shall not be effective until Plaintiff deposits with the Harris County District Clerk a cash bond in the amount of \$100, or in the form of a check drawn from the Plaintiff's counsel's business checking account, in due conformity with applicable law.

SIGNED and ENTERED on this _____ day of _____, 2024, at _____ o'clock, _____ . M.

Signed:
6/3/2024
5:47 PM



DISTRICT JUDGE

Respectfully submitted,

LAND, LABOR & CAPITAL PLLC

By: /s/ Marcella A. Hagger

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Attorney for Plaintiff, Isaac L. Ford and Tracy Ford