

2024-33918 / Court: 133

CAUSE NO. _____

RAPHAEL YONKO

§
§
§
§
§
§
§

IN THE DISTRICT COURT OF

v.

HARRIS COUNTY, TEXAS

JMB HOME TOTAL SOLUTIONS LLC
AND CARRINGTON MORTGAGE
SERVICES, LLC

_____ JUDICIAL DISTRICT

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 JMB Home Total Solutions LLC ("JMB") their agents, employees, directors, shareholders, and legal counsel are immediately enjoined and restrained, Wilmington will proceed with a foreclosure sale of Plaintiff's property commonly known as 7431 Merrylands 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 JMB 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 JMB 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 JMB Home Total Solutions 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 7431 Merrylands Drive, Humble, TX 77346. JMB Home Total Solutions 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 17 day of ~~May~~ ^{June} 2024 starting at 4:00 ~~a.m.~~ /p.m. and that JMB is commanded to appear at that time and show cause, if any, why a temporary injunction should not be issued against JMB Home Total Solutions 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 \$ 100 in due conformity with applicable law.

SIGNED and ENTERED: _____

Signed:
6/3/2024
11:44 AM 

PRESIDING JUDGE

Unofficial Copy Office of Merilyn Bloss District Clerk