

CAUSE NO. 2024-33918

RAPHAEL YONKO  
PLAINTIFF,

v.

JMB HOMES TOTAL SOLUTIONS  
LLC and CARRINGTON  
MORTGAGE SERVICES, LLC  
DEFENDANT

§ IN THE DISTRICT COURT  
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§  
§ 133RD JUDICIAL DISTRICT  
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§  
§ HARRIS COUNTY, TEXAS

**AGREED MOTION FOR ORDER  
EXTENDING TEMPORARY RESTRAINING ORDER  
AND RESETTING TEMPORARY INJUNCTION HEARING**

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES, Defendant JMB Homes Total Solutions LLC (JMB), and files this agreed motion for order extending temporary restraining order and resetting the temporary injunction hearing. In support of the motion, JMB would respectfully show the Court as follows:

1. A Temporary Restraining Order was signed in this matter on June 3, 2024. The order required Plaintiff to post a \$100 bond and for the parties to mediate the underlying dispute prior to the temporary injunction hearing.
2. Plaintiff deposited cash in lieu of the bond on June 3, 2024. However, the parties have not yet mediated.
3. **The temporary injunction hearing is set for today, June 17, 2024, at 4:00 PM.**

4. Defendant Carrington Mortgage Services, LLC, appeared through counsel on June 13, 2024.

5. Defendant JMB appeared through counsel on June 14, 2024. Neither Defendant has answered.

6. The Temporary Restraining Order (TRO) expires today, June 17, 2024, by operation of law. Tex. R. Civ. P. 680.

7. Rule 680 provides that the party or parties against whom the TRO is directed may consent to extend the order beyond the usual fourteen-day extension allowed on a showing of good cause to the Court. *Id.*

8. Defendants ask the Court to extend the TRO and the Temporary Injunction hearing until no later than Monday July 15, 2024, to allow the parties the maximum amount of time to mediate and prepare for the hearing in the event mediation is not successful. This date will also allow Defendant JMB twenty days to notice a foreclosure sale for Tuesday, August 6, 2024, in the event mediation is not successful and a temporary injunction does not issue.

9. In light of all the circumstances, the parties request that the Court pass the current temporary injunction hearing and extend the existing temporary restraining order for at least an additional fourteen (14) days through July 1, 2024, or until the new date set for temporary injunction hearing, whichever is later, but in no event later than Monday, July 15, 2024, with the bond posted on the original TRO remaining in place.

WHEREFORE, PREMISES CONSIDERED, the parties respectfully request that this Court grant this agreed motion to extend temporary restraining order and for such other and further relief to which the parties are justly entitled.

Respectfully submitted,

**HAYES HUNTER PC**

*/s/ Charles Clinton Hunter*

By: \_\_\_\_\_

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**ATTORNEYS FOR PLAINTIFF**

Unofficial Copy Office of Marilyn Burgess Dwyer Clerk

**CERTIFICATE OF SERVICE**

I certify that on **June 17, 2024** a true and correct copy of this instrument was served to interested parties by electronic filing service.

*/s/ Charles Clinton Hunter*

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**Charles Clinton Hunter**

Unofficial Copy Office of Marilyn Burgess District Clerk

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