

# 2021-31946 / Court: 189

CAUSE NO. \_\_\_\_\_

MICHAEL J. SEABORN, JR. AND SUPERIOR CONSULTING GROUP Plaintiff	§	IN THE DISTRICT COURT
	§	
v.	§	_____ JUDICIAL DISTRICT
FAY SERVICING LLC, SELENE FINANCE LP AND U.S. BANK TRUST NATIONAL ASSOCIATION, AS TRUSTEE OF CITIGROUP MORTGAGE LOAN TRUST 2019-E	§ § § § §	HARRIS COUNTY, TEXAS

## ORDER GRANTING TEMPORARY RESTRAINING ORDER

CAME ON TO BE CONSIDERED the Plaintiffs' Original Petition which contains a request for the issuance of a Temporary Restraining Order. Upon considering the evidence received and the arguments, this Court finds and concludes that Plaintiffs will probably prevail on the trial of this cause; that harm to Plaintiffs is imminent, and if the Court does not issue the temporary restraining order; Plaintiffs will be irreparably injured; and an ex parte order is necessary, without notice to Defendants, because there is insufficient time for notice to Defendants and a hearing before further irreparable harm occurs. It clearly appears from the papers that Plaintiff is entitled to a temporary injunction.

Therefore, the Defendants, and any Trustee, agent, employees, assigns acting on their behalf, are immediately deterred and barred from proceeding with any foreclosure sale, from posting any foreclosure sale, and from filing any evictions covering certain real property located in Harris County, Texas, to wit: 9122 Edgeloch, Spring TX 77349. The Court finds that the Defendants and its agents will commit said acts before notice of hearing on the Application for Temporary Injunction can be served and heard had; and that if commission of said acts be not immediately restrained, Plaintiffs will suffer immediate and irreparable injury, to wit: Plaintiffs will suffer wrongful interference and ownership and use of real property.

It is therefore ORDERED that the Defendants and every possible Trustee acting on its behalf, and their agents and employees, are commanded forthwith to desist and refrain from proceeding with the foreclosure sale scheduled for June 1, 2021, from posting any further notices of foreclosure sale and/ or filing any eviction proceeding on the property more particularly described above for all purposes from the date of the entry of this order until the 14<sup>th</sup> day after entry or until further order of this Court.

It is further ORDERED that the Application for Plaintiffs' Application for Temporary Injunction be heard scheduled for June 7, 2021 at 1:30 pm in the 189th District Court.

The Clerk of the above-entitled Court shall forthwith, on the filing by Plaintiff of the Bond hereinafter required, and on approving same according to law, issue a Temporary Restraining Order in conformity with the laws and the terms of this Order. This Order shall not be effective unless and until Plaintiff executes and files with the Clerk, a bond in conformity with the law, in the amount of ~~\$100.00~~ \$250.00

SIGNED THIS \_\_\_\_ day of \_\_\_\_\_, 2021 At \_\_\_\_ o'clock \_\_\_\_ .m.

Signed:  
5/28/2021  
3:14 PM



\_\_\_\_\_  
JUDGE PRESIDING