

2024-82677 / Court: 80

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

DEWONNA BENOIT CLINTON	§	IN THE DISTRICT COURT
Plaintiff	§	
v.	§	_____ JUDICIAL DISTRICT
U.S. BANK TRUST NATIONAL	§	
ASSOCIATION, NOT IN ITS	§	
INDIVIDUAL CAPACITY BUT	§	
SOLELY AS OWNER TRUSTEE	§	
FOR RCAF ACQUISITION TRUST,	§	
RUSHMORE LOAN MANAGEMENT	§	
SERVICES, LLC AND SELENE	§	
FINANCE, LP	§	
Defendants	§	HARRIS COUNTY, TEXAS

**EX PARTE ORDER GRANTING TEMPORARY RESTRAINING ORDER**

CAME ON TO BE CONSIDERED the Plaintiff's 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 Plaintiff will probably prevail on the trial of this cause; that harm to Plaintiff is imminent, and if the Court does not issue the temporary restraining order; Plaintiff 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. Defendants were given notice of hearing but did not appear.

Therefore, the Defendants, and any Trustee, agent, employees, assigns acting on their behalf, are immediately deterred and barred from proceeding with the foreclosure sale scheduled for December 3, 2024, from posting any foreclosure sale, and from filing any evictions covering certain real property located in Harris County, Texas, to wit: *Lot 949, Block 35, Fairgreen Section Five, a subdivision in Harris County, Texas according to the map or plat thereof recorded in Volume 261, Page 1 of the map records of Harris County, Texas, with the street address 13911 Honey Bee Court, Houston, TX 77035*

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, Plaintiff will suffer immediate and irreparable injury, to wit: Plaintiff

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 any eviction proceeding, 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 Plaintiff's Application for an Injunction is be heard is scheduled for December 9, 2024 at 1:30pm in the 80th 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.

SIGNED THIS \_\_\_\_ day of \_\_\_\_\_, 2024 At \_\_\_\_ o'clock \_\_\_\_ .m.

Signed:  
11/26/2024  
3:43 PM



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

Unofficial Copy Office of Marilyn Burgess District Clerk