

2024-83474 / Court: 215

CAUSE NO: _____

LAURA ISABEL FLORES, PLAINTIFF	§ § §	IN THE DISTRICT COURT
VS.	§ §	____ JUDICIAL DISTRICT
SELENE FINANCE LP, DEFENDANT	§ §	HARRIS COUNTY, TEXAS

ORDER GRANTING PLAINTIFF'S ORIGINAL PETITION AND EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER PURSUANT TO TEX. R. CIV.P. § 680, AND REQUEST FOR TEMPORARY INJUNCTION

The Court having duly considered the Plaintiffs' Original Petition, Ex Parte Application for Temporary Restraining Order (TRO), and Request for Temporary Injunction find these items are **with merit** and **GRANT** the following:

ORDER ADJUDGED AND DECREED court hereby recognizes and confirms that the Plaintiff, **LAURA ISABEL FLORES**, has established her primary residence at 6002 Lacey Oak Drive, Pasadena, Texas 77505, in or before the year 2001. This property is duly acknowledged as Plaintiff's homestead, pursuant to the provisions of Texas Property Code 41. As such, Plaintiff's residency enjoys the full protections and exemptions afforded to homestead properties under Texas law and is free of foreclosure and default of Defendant, Mortgage Servicer, SELENE FINANCE, LP.

ORDER ADJUDGED AND DECREED property located at 6002 Lacey Oak Drive, Pasadena, Texas 77505 is hereby granted homestead exemption status in accordance with Texas Property Code § 41. Despite Plaintiff's delinquency on mortgage payments, the court acknowledges her proactive efforts to address her financial situation by applying for a loan

modification in a timely manner as required, demonstrating Plaintiffs' genuine intent to fulfill her financial obligations regarding the property through legitimate means.

ORDER ADJUDGED AND DECREED court recognizes Plaintiffs petition for relief under Texas Civil Practice and Remedies Code 65, Injunction and TRCP § 680, TRO. Plaintiff's invocation of this provision underscores her legitimate concerns regarding the imminent harm he faces concerning her residency. In light of Plaintiff's assertion of her rights to equitable justice, the court deems it appropriate to intervene and prevent any unjust actions against him regarding her home.

ORDER ADJUDGED AND DECREED The court acknowledges the clear and immediate threat of harm faced by Plaintiff if she is forcibly removed from her residence. Plaintiff's argument regarding the potential denial of equitable justice is compelling, supported by the circumstances of her case and relevant legal precedent. Therefore, the court finds that Plaintiff has demonstrated a strong likelihood of success in her legal endeavor.

ORDER ADJUDGED AND DECREED that court hereby grants the issuance of a Temporary Restraining Order (TRO), on an Ex Parte basis, to prevent any immediate actions against him concerning the property at 6002 Lacey Oak Drive, Pasadena, Texas 77505. The court agrees that there was not adequate time to serve notice on Defendant and to hold a hearing on this application. ~~Additionally, Plaintiff's request for compensation for attorney fees, court costs, and any additional relief deemed appropriate by the court is hereby approved. This comprehensive relief underscores Plaintiff's commitment to pursue all available legal avenues to protect her rights and interests in this matter.~~

~~ORDER ADJUDGED AND DECREED that the Plaintiff is awarded her Reasonable Attorney Fees and Reasonable Court Costs as set forth in the Affidavit of Attorney Masoud Darvishi.~~

IT IS FURTHER ORDERED that the TRO is granted for fourteen days from on or about _____ until December 11, 2024 or until this matter is set for further review on December 5, 2024 at 12:00pm, at which time the parties may present additional evidence and arguments related to the ongoing compliance with this Order. The court will determine whether her application for temporary injunction should be issued against Defendant. The bond is \$100.00.

IT IS FURTHER ORDERED that any other relief not granted is hereby denied

SIGNED this _____ **day of** _____ **2024**

Signed:
11/27/2024
2:28 PM



JUDGE PRESIDING

APPROVED AS TO FORM BY:

/s/ Masoud Darvishi
MASOUD DARVISHI, SBOT # 24069570
THE DARVISHI LAW FIRM P.L.L.C.
1711 Potomac Drive, Suite 1
Houston, TX 77057
(713) 492-5511 (Telephone)
darvishilaw@gmail.com (E-Mail)
ATTORNEY FOR PLAINTIFF