11/27/2024 10:37:25 AM Marilyn Burgess - District Clerk **Harris County**

Envelope No: 94766628 By: BARRETT, BERNITTA L Filed: 11/27/2024 10:37:25 AM

2024-83608 / Court: 127

CAUSE NO. ____

JOSE MOLINA, SR.,	§ IN THE DISTRICT COURT OF
Plaintiff,	8 8
v.	§ HARRIS COUNTY, TEXAS
US BANK TRUST NATIONAL	\$ §
ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT	\$ \$
SOLELY AS OWNER TRUSTEE FOR VRMTG ASSET TRUST,	\$ \$
Defendant.	§ § JUDICIAL DISTRICT
Deichuant.	S JUDICIAL DISTRICT

TEMPORARY RESTRAINING ORDER

ON THIS DATE the Plaintiff's Original Petition and Application for Injunctive Relief ("Petition") in this cause, was heard and considered before this Court.

Based upon the pleadings, exhibits, records, and documents filed by Plaintiffs and presented to the Court, as well as the arguments of legal counsel at the hearing, IT CLEARLY APPEARS THAT:

- Unless Defendant, their agents, employees, directors, shareholders, and legal counsel is/are immediately enjoined and restrained, Defendants may sell the Property at any time during the pendency of this matter thus depriving Plaintiff of ownership of the Property identified and described in the Retition and potentially causing Plaintiff to be dispossessed of the Property, and Plaintiff with suffer an immediate and irreparable harm and will have no adequate remedies under the law, and Defendant may commit the foregoing before notice and hearing on Plaintiff's Application for Injunctive Relief.
- B. Plaintiff will suffer an irreparable harm if Defendant, their agents, employees, directors, shareholders, and legal counsel are not restrained immediately because Defendant or their

agents have scheduled the Property for a foreclosure sale to take place on December 3, 2024 - that is real property, which is unique and irreplaceable, and there is no adequate remedy at law to grant Plaintiff complete, final, and equitable relief.

C. Additionally, it clearly appears from specific facts shown by the verified complaint that immediate and irreparable injury, loss, or damage will result to the applicant before notice can be served and a hearing had thereon. The injury that Plaintiff will suffer it irreparable because it involves the loss of real property which is unique and irreplaceable. The Court is granting the order ex parte as the foreclosure sale is set to occur December 3, 2024 and there is not adequate time to set this matter for a hearing prior to the scheduled foreclosure sale.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Defendant, their agents, employees, directors, shareholders, and legal counsel are hereby ORDERED to immediately cease and desist from all foreclosure proceedings, including selling the real property which is the subject matter of this lawsuit and is commonly known as 14235 Rosetta Drive, Cypress, Texas 77429. Defendant, 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.

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 \$_100.00_____, in due conformity with applicable \www. The bond may be in the form of cash, cashier's check, or a check drawn from operating account of Plaintiff's attorney's law firm. SIGNED and ENTERED this the _____day of a.m./p.m. Signed: 11/27/2024 2:40 PM JUDGE PRESIDING