

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, EASTERN DIVISION

MARÍA MAGDALENA MARTINEZ)	
GONZÁLEZ,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.
)	3:15cv282-MHT
)	(WO)
THOMAS DAVID PRESTON,)	
)	
Defendant.)	

TEMPORARY RESTRAINING ORDER

This matter comes before the court on plaintiff María Magdalena Martinez González's motion for a temporary restraining order. Having considered the motion, the supporting exhibits, and related documents, the court concludes that the motion should be granted pursuant to Rule 65 of the Federal Rules of Civil Procedure. For the reasons set forth in plaintiff's motion and accompanying brief, irreparable injury will result to the plaintiff before the defendant can be heard in opposition. Moreover, the court has received

plaintiff's certification of her efforts to give notice. The court issues this order without notice to avoid delays caused by the defendant's possible attempts to evade service and to minimize the risk that the children will be removed from the court's jurisdiction before a hearing can be held.

Accordingly, it is ORDERED as follows:

- (1) Plaintiff María Magdalena Martínez González's motion for a temporary restraining order and to schedule expedited hearing (doc. no. 3) is granted.
- (2) Defendant Thomas David Preston is prohibited from removing the children, O.M.P.M. and T.D.P.M., from Lanett, Alabama pending a hearing on the merits of the verified complaint. Likewise, no person acting in concert or participating with defendant Preston (including but not limited to his mother, Lurlie Cole Jennings) shall take any

action to remove the children from the city of Lanett.

(3) A hearing on the merits of the verified complaint is scheduled to be held on May 12, 2015, at 10:00 a.m., in Courtroom 2FMJ of the Frank M. Johnson, Jr. United States Courthouse Complex, One Church Street, Montgomery, Alabama.

(4) Defendant Preston is hereby directed to show cause at the hearing scheduled in paragraph (3) above why the children should not be returned forthwith to Mexico and why other relief requested in the verified complaint should not be granted.

It is further ORDERED that the United States Marshal Service is forthwith to serve personally a copy of this order, along with the summons and copies of the complaint and the attachments and accompanying motions, on defendant Thomas David Preston and on Ms. Lurlie Cole Jennings.

This order binds defendant Thomas David Preston, Lurlie Cole Jennings, the parties' officers, agents, servants, employees, and attorneys; and all other persons who are in active concert or participation with the parties or their officers, agents, servants, employees, or attorneys.

DONE, this the 29th day of April, 2015.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE