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**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

Daniel Amador,  
Plaintiff,  
vs.  
Quicken Loans, Inc. et al.,  
Defendants.

No. CV 16-1357-SMM  
**ORDER**

Pending before the Court is Plaintiff’s Motion for Preliminary Injunction (Doc. 7) and *Ex Parte* Motion for Temporary Restraining Order (Doc. 8). Plaintiff says he will suffer immediate and irreparable injury if Defendants are not enjoined from proceeding with foreclosure on his property. (Doc. 7 at 5, Doc. 8 at 5.) Plaintiff has not notified Defendants of these motions.

On November 10, 2016, Defendant DVP, LP obtained a lawful writ of possession against Plaintiff in the Superior Court of California, County of Fresno. (Doc. 7 at 79-80, Doc. 8 at 80-81.) Pursuant to Younger v. Harris, 401 U.S. 37 (1971), this Court will abstain from granting injunctive relief when a state civil proceeding is pending against the Plaintiff at the time he commences the federal action. It is apparent Plaintiff wishes the Court to forestall the foreclosure action, which this Court will not do.

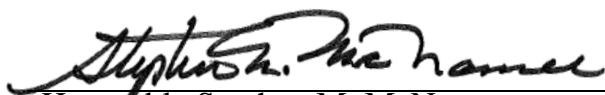
Moreover, Plaintiff has failed to serve Defendants, despite filing his complaint on September 14, 2016. As such, the Court finds that it would be prejudicial to grant Plaintiff injunctive relief even if the circumstances warranted such relief.

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Accordingly,

**IT IS HEREBY ORDERED** denying Plaintiff's *Ex Parte* Motion for Temporary Restraining Order (Doc. 8).

Dated this 18th day of November, 2016.

  
Honorable Stephen M. McNamee  
Senior United States District Judge