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8	UNITED STATES DISTRICT COURT	
9	EASTERN DISTRICT OF CALIFORNIA	
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11	JAMES KOURETAS,	No. 2:13-cv-02632-MCE-KJN
12	Plaintiff,	
13	٧.	ORDER
14	NATIONAL MORTGAGE HOLDINGS,	
15	INC., and BANK OF AMERICA, N.A.,	
16	Defendants.	
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18	On December 23, 2013, Plaintiff James Kouretas ("Plaintiff") filed an Motion for a	
19	Temporary Restraining Order ("TRO"). Plaintiff seeks to stop the foreclosure sale of his	
20	property located at 3324 S Street, Sacramento, California, currently scheduled for	
21	December 30, 2013. The Motion for TRO states that Plaintiff "holds title to the property"	
22	and refers to the property as Plaintiff's home. However, the California Homeowner Bill of	
23	Rights, under which Plaintiff seeks relief, applies only to "first lien mortgages or deeds of	
24	trust that are secured by owner-occupied residential real property containing no more	
25	than four dwelling units. For these purposes, 'owner occupied' means that the property	
26	is the principal residence of the borrower" Cal. Civ. Code. § 2924.15(a). Plaintiff	
27	makes no allegations nor provides evidence that the property at issue is his principal	
28	residence.	
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1	Accordingly, Plaintiff is required to respond in writing, under the penalty of perjury,	
2	whether the property in question is owner-occupied residential real property containing	
3	no more than four dwelling units and is the principal residence of Plaintiff. Such written	
4	response shall be received by the Court by December 24, 2013, at 12:00 PM. Should	
5	Plaintiff fail to respond in writing to the Court's order by the date and time set forth,	
6	Plaintiff's Motion for TRO shall be denied.	
7	IT IS SO ORDERED.	
8	Dated: December 23, 2013	
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10	In Alter	
11	MORRISON C. ENGLAND, JR, CHIEF JUDGE	
12	UNITED STATES DISTRICT COURT	
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