1		
2		
3		**E-Filed 11/30/2010**
4		
5		
6		
7		
8	IN THE UNITED STATES DISTRICT COURT	
9	FOR THE NORTHERN DISTRI	CT OF CALIFORNIA
10	SAN JOSE DIVI	SION
11		
12	AGNES BLACKWELL,	Case Number 5:10-4917 JF (PVT)
13	Plaintiff,	ORDER ¹ DENYING MOTION FOR PRELIMINARY INJUNCTION
14	V.	
15	WELLS FARGO HOME MORTGAGE, INC.,	Re: Docket No. 2
16	Defendant.	
17		
18	Plaintiff Agnes Blackwell, proceeding pro se, s	seeks a preliminary injunction to prevent
19	Defendant Wells Fargo Home Mortgage, Inc. from foreclosing upon and selling her real property	
20	located at 1464 Kelly Court San Jose, California 95116. Plaintiff filed the instant motion and an	
21	<i>ex parte</i> application for a temporary restraining order on October 19, 2010. The application for a	
22	temporary restraining order was denied on November	4, 2010.
23	Defendant states that the property in question w	vas sold at a trustee's sale on March 11,
24	2010. However, Plaintiff asserts that the sale was scheduled for the week of August 13, 2010.	
25	Even if the Court assumes that the sale took place in August, Plaintiff's motion appears to be	
26		
27		
28	¹ This disposition is not designated for publicat	ion in the official reports.

Case No. 5:10-4917 JF (PVT) ORDER DENYING PRELIMINARY INJUNCTION (JFLC1)

1	moot. Plaintiff has not replied to Defendant's opposition brief and has not otherwise disputed	
2	that the foreclosure has occurred.	
3		
4	ORDER	
5	Under the circumstances, the Court finds that the instant motion is suitable for	
6	determination without oral argument pursuant to Civil L. R. 7-1(b). Good cause therefor	
7	appearing, IT IS HEREBY ORDERED that the motion for preliminary injunction is DENIED as	
8	moot.	
9		
10	DATED: November 30, 2010	
11	JEREMY FOGEL	
12	United States District Judge	
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
	2 Case No. 5:10-4917 JF (PVT) ORDER DENYING PRELIMINARY INJUNCTION (JFLC1)	

Ι

1	A copy of this order has been sent to:
2	
3	Agnes Blackwell
4	1464 Kelly Court San Jose, CA 95116
5	5411 5050, 011 95110
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
	3 Case No. 5:10-4917 JF (PVT) ORDER DENYING PRELIMINARY INJUNCTION (JFLC1)