

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn**

Civil Action No. 12-cv-01452-REB

ANDREW COLE,

Plaintiff,

v.

CHASE HOME FINANCE LLC, and  
JPMORGAN CHASE BANK, N.A.,

Defendants.

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**ORDER DENYING WITHOUT PREJUDICE  
MOTION FOR TEMPORARY RESTRAINING ORDER**

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**Blackburn, J.**

This matter is before me on the plaintiff's **Opposed Motion for a Temporary Restraining Order** [#4]<sup>1</sup> filed June 4, 2012. The plaintiff seeks a temporary restraining order preventing the defendants from proceeding with a foreclosure sale scheduled for today, June 6, 2012, at 10:00 a.m. Late in the day yesterday, June 5, 2012, the plaintiff filed a notice [#6] in which the plaintiff indicates that the defendants have voluntarily continued the foreclosure sale. The sale now is rescheduled for July 11, 2012.

The motion for temporary restraining order [#4] concerns circumstances leading up to the foreclosure sale previously scheduled for June 6, 2012. Now that the June 6, 2012, foreclosure sale has been continued to a later date, the circumstances surrounding any future foreclosure sale involving the plaintiff necessarily will be

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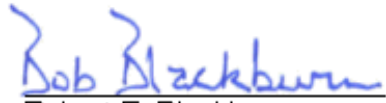
<sup>1</sup> “[#4]” is an example of the convention I use to identify the docket number assigned to a specific paper by the court's case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

different. Given these circumstances, I deny the current motion for temporary restraining order [#4] without prejudice. Should circumstances develop which merit the issuance of a temporary restraining order, the plaintiff may file a new motion for temporary restraining order.

**THEREFORE, IT IS ORDERED** that the plaintiff's **Opposed Motion for a Temporary Restraining Order** [#4] filed June 4, 2012, is **DENIED** without prejudice.

Dated June 6, 2012, at Denver, Colorado.

**BY THE COURT:**

  
Robert E. Blackburn  
United States District Judge