

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JAMES CADET,

Plaintiff,

**ORDER**

16-CV-1284 (MKB)

v.

MORGAN STANLEY MORTGAGE LOAN  
TRUST INVESTOR MSM 2007-7AX in the care of  
SPECIALIZED LOAN SERVICING LLC (SLS),  
MERS, JOHN DOE, JANE DOE,

Defendants.

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MARGO K. BRODIE, United States District Judge:

Plaintiff James Cadet, proceeding *pro se*, commenced the above-captioned action on March 10, 2016, against Defendants Wells Fargo Bank, America Servicing Company, Investor MSM 2007-8AX, MERS Inc., Jane Doe and John Doe,<sup>1</sup> asserting diversity of citizenship as the basis for the Court's jurisdiction. (Docket Entry No. 1.) By Order dated April 7, 2016, the Court granted Plaintiff's request to proceed *in forma pauperis*, and the United States Marshals Service was directed to serve the summons and Complaint upon the named Defendants without prepayment of fees. (Docket Entry No. 4.) On June 22, 2016, Plaintiff filed an application for an order to show cause, seeking a temporary restraining order and preliminary injunction to enjoin Defendants from obtaining a final order of foreclosure on real property located at 146-38 176th Street, Jamaica, NY 11434. (Docket Entry No. 7.) By Order dated June 24, 2016, the

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<sup>1</sup> On July 14, 2016, Plaintiff filed an Amended Complaint, omitting Wells Fargo, America Servicing Company and Investor MSM 2007-8AX as defendants and naming Morgan Stanley Mortgage Loan Trust Investor MSM 2007-7AX in the care of Specialized Loan Servicing, LLC (SLS), MERS, John Doe and Jane Doe as defendants. (Docket Entry No. 13.)

Court denied Plaintiff's request for a temporary restraining order and preliminary injunction (the "June 2016 Order"). (Docket Entry No. 8.)

On July 13, 2016, Plaintiff filed a motion seeking reconsideration of the June 2016 Order. (Docket Entry. No. 12.) Plaintiff attached to his motion an order issued by the New York Supreme Court of Queens County that appears to be a final order of foreclosure on the real property located at 146-38 176th Street. (*Id.*) Because Plaintiff has neither demonstrated a likelihood of success on the merits of the action before the Court nor made a showing of irreparable harm, Plaintiff's request for a temporary restraining order and preliminary injunction is denied. *See Christian Louboutin S.A. v. Yves Saint Laurent Am. Holdings, Inc.*, 696 F.3d 206, 215 (2d Cir. 2012).

SO ORDERED:

s/ MKB  
MARGO K. BRODIE  
United States District Judge

Dated: July 15, 2016  
Brooklyn, New York