


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION
No. 2:10-CV-66-D

BERNARD J. ROLFES, III,)
and JILL E. ROLFES,)
)
Plaintiffs,)
)
v.)
)
DECISION ONE MORTGAGE COMPANY,)
and HSBC MORTGAGE SERVICES, INC.,)
)
Defendants.)

ORDER

Plaintiffs filed a motion for a temporary restraining order [D.E. 10] and a motion for a preliminary injunction [D.E. 5]. Plaintiffs ask this court to stay foreclosure proceedings in Currituck County Superior Court concerning certain real property. The foreclosure proceedings were pending when plaintiffs filed their federal action. The motions [D.E. 5, 10] are DENIED. See 28 U.S.C. § 2283; Chick Kam Choo v. Exxon Corp., 486 U.S. 140, 145–46 (1988); Atl. Coast Line R.R. Co. v. Bhd. of Locomotive Eng’rs, 398 U.S. 281, 285–86 (1970); Bryan v. BellSouth Commc’ns, Inc., 492 F.3d 231, 236–37 (4th Cir. 2007); Emp’rs Res. Mgmt. Co. v. Shannon, 65 F.3d 1126, 1129–30 (4th Cir. 1995); Phillips v. Chas. Schreiner Bank, 894 F.2d 127, 131–32 (5th Cir. 1990).

SO ORDERED. This 31 day of January 2011.


JAMES C. DEVER III
United States District Judge