

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**LUIS A. DEL MAZO, JR., Trustee,)
RICHMOND COMMUNITY TRUST,)**

Plaintiff,)

vs.)

**CASE NO. 3:16-0032
JUDGE SHARP/KNOWLES**

**COUNTRYWIDE HOME LOANS, INC.,)
THE BANK OF NEW YORK MELLON,)**

Defendants.)

REPORT AND RECOMMENDATION

This matter is before the Court upon the pro se Plaintiff’s “Emergency Motion for Temporary Restraining Order and Application for Temporary Injunction.” Docket No. 9. The Motions states in part that Defendant Bank of New York Mellon “is attempting to foreclose on and sell Plaintiff’s property with insufficient showing of authority to do so.” Judge Sharp has referred this action to the undersigned “for consideration of all pretrial matters.” Docket No. 5.

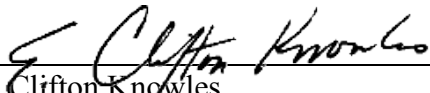
Local Rule 7.01(a) provides in relevant part, “Every motion that may require the resolution of an issue of law, in either civil or criminal cases, when filed shall be accompanied by a memorandum of law citing supporting authorities and, where allegations of fact are relied upon, affidavits or depositions in support thereof.”

Plaintiff has not filed a supporting Memorandum of Law, nor has he filed any affidavits or depositions to support his allegations of fact. Plaintiff has not discussed the requirements for

an injunction or how he meets those requirements.

For the foregoing reasons, the instant Motion (Docket No. 9) should be DENIED.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has fourteen (14) days after service of this Report and Recommendation in which to file any written objections to this Recommendation with the District Court. Any party opposing said objections shall have fourteen (14) days after service of any objections filed to this Report in which to file any response to said objections. Failure to file specific objections within fourteen (14) days of service of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *See Thomas v. Arn*, 474 U.S. 140, 106 S.Ct. 466, 88 L. Ed. 2d 435 (1985), *reh'g denied*, 474 U.S. 1111 (1986); 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72.



E. Clifton Knowles
United States Magistrate Judge