



Further, in order for this Court to issue a temporary restraining order, Plaintiff must establish: (1) a substantial likelihood of success on the merits; (2) a substantial threat that failure to grant the injunction will result in irreparable injury; (3) the threatened injury outweighs the threatened harm the injunction may cause the opposing party; and (4) the injunction will not disserve the public interest. *Enrique Bernat F., S.A. v. Guadalajara, Inc.*, 210 F.3d 439, 442 (5th Cir. 2000). Because a temporary restraining order is an extraordinary remedy, it will be granted only if the movant carries the burden of persuasion on all four factors. *Allied Marketing Group, Inc. v. DCL Marketing, Inc.*, 878 F.2d 806, 809 (5th Cir. 1989).

Based on the unsubstantiated assertions in Plaintiff's motion for a temporary restraining order, the Court is unable to conclude that Plaintiff has a substantially likelihood of success on the merits. This assessment is bolstered by the fact that a local trial judge has already issued regarding Plaintiff Cadena's access to the property in question.

Finally, while the caption of this case indicates that this case is brought by two plaintiffs, Joseph Buchholz Cadena and Jennifer Rose Degollado, only Mr. Cadena signed the pending motion. Plaintiff Cadena admits in the Complaint that Judge Susan Steegs entered an order evicting him from the property earlier this year. To establish constitutional standing, a party "must have (1) suffered an injury in fact, (2) that is fairly traceable to the challenged conduct of the defendant, and (3) that is likely to be redressed by a favorable judicial decision." *Spokeo, Inc. v. Robins*, 136 S. Ct. 1540, 1547 (2016). It appears to the Court that Plaintiff Cadena alone has filed the instant motion, but that he seeks to prevent the eviction of Ms. Degollado. Because Mr. Cadena has not suffered the alleged injury in question, he does not have standing for purposes of this motion.

In light of the foregoing, it is hereby **ORDERED** that Plaintiff Cadena's Motion for a Temporary Restraining Order (Dkt. 2) is **DENIED**.

**SIGNED** on August 26, 2016.

A handwritten signature in blue ink, appearing to read "Robert Pitman", written over a horizontal line.

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ROBERT PITMAN  
UNITED STATES DISTRICT JUDGE