

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

CIVIL ACTION NO.: 1:14-CV-422

**KHRISTEN SELLERS, ALFREDA
CROWDER, LATOYA HASTY,
SHANNON BASS, ANGELA
ALLBROOKS, LATINA
COVINGTON, JUDY MCKOY, and
ANGELA MOOREHOUSE,**

Plaintiffs,

v.

**FOUR-COUNTY COMMUNITY
SERVICES INCORPORATED, JOHN
WESLEY, and ERIC PENDER,**

Defendants.

**PLAINTIFFS' MOTION FOR A
TEMPORARY RESTRAINING
ORDER AND A PRELIMINARY
INJUNCTION**

The Plaintiffs respectfully file this Motion for a Temporary Restraining Order and a Preliminary Injunction against the Defendants, Four-County Community Services, Incorporated ("FCCS"), John Wesley ("Wesley"), and Eric Pender ("Pender").

RELIEF REQUESTED AND BASIS

Plaintiffs seek an order granting injunctive relief in three forms:

1 Forcing FCCS to abide by the regulations governing the Section 8 voucher program by granting Sellers a new voucher and extending the Housing Assistance

Payment (“HAP”) contract with her landlord for sufficient time (Plaintiffs suggest three months) for Sellers to find a new location in which to use her voucher;

2 Preventing the Defendants from engaging in any contact whatsoever with Sellers, such that all communication between Defendants and Sellers is through counsel; and

3 Preventing Defendants from adversely affecting the benefits received by any plaintiff in this action or any person disclosed by the Plaintiffs as having knowledge relevant to this action, now or in the future, without prior approval from the Court.

This motion is brought pursuant to allegations that the Defendants have engaged in retaliation against multiple plaintiffs and witnesses. Plaintiffs seek to ensure that Defendants are not able to intimidate plaintiffs and witnesses by taking adverse action against the benefits received by plaintiffs and witnesses. However, Plaintiffs acknowledge that they cannot prevent Defendants from *legitimate* adverse actions against the benefits of plaintiffs and witnesses. So, to ensure fairness without restricting the Defendants from taking legitimate action, the Plaintiffs’ requested relief asks that the Court step in to review any adverse action against plaintiffs and individuals named by plaintiffs before it is effected to ensure that it is in line with the regulations governing Defendants’ administration of the Section 8 voucher program.

Further, Plaintiffs allege that Defendants are retaliating against Sellers by attempting to cancel the Housing Assistance Payment (“HAP”) contract with Sellers’s

landlord, which would effectively render Sellers homeless. While Sellers admits that the house in which she lives is unable to meet the Housing Quality Standards (“HQS”) established by the Department of Housing and Urban Development (“HUD”), she alleges that Defendants’ actions are retaliatory and in violation of the regulations governing the administration of Section 8 benefits. Sellers simply wants Defendants to abide by their own rules, and her requested relief reflects that goal.

Finally, Sellers has alleged several specific instances wherein Defendants have harassed her for bringing this action, leading to anxiety and emotional distress. As a simple remedy to this situation, Sellers simply asks the Court that it order FCCS to direct all correspondence to her through counsel.

The above is all more thoroughly explained in the supporting memorandum accompanying this filing.

IMMEDIACY REQUESTED WITH RESPECT TO TEMPORARY RESTRAINING ORDER

Plaintiffs respectfully request the Court to immediately enter the proposed order granting their request for emergency temporary injunctive relief to preserve the status quo, as Sellers faces nearly-instant homelessness should no injunctive relief be granted. Plaintiffs also recently provided Defendants with a new set of individuals with relevant knowledge to the matter, and, if Defendants hold true to their past actions, those

individuals are almost certain to see retaliation from Defendants at any time, absent injunctive relief.

Plaintiffs further request that the Court rule on Plaintiffs' Motion for a Preliminary Injunction, any briefing or hearings deemed requisite by the Court, at the earliest possible date convenient to the Court and the parties.

Respectfully submitted on the 30th day of June, 2014.

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CERTIFICATE OF SERVICE

I hereby certify that on June 30, 2014, I electronically filed the foregoing PLAINTIFFS' MOTION FOR A TEMPORARY RESTRAINING ORDER AND A PRELIMINARY INJUNCTION with the Clerk of Court using the CM/ECF system, which will send notification of filing to the following:

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