

**DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

FLAGSTAR BANK, FSB,

Plaintiff,

v.

**DENISE WALCOTT, DEAN C. WALCOTT,
JR., wife and husband, and SECRETARY OF
HOUSING AND URBAN DEVELOPMENT,**

Defendants.

Civil Action No. 2018-0037

Appearances:

A.J. Stone III, Esq.,

St. Thomas, U.S.V.I.

For Plaintiff

Denise Walcott, Pro Se

St. Croix, U.S.V.I.

Angela P. Tyson-Floyd, Esq.,

St. Croix, U.S.V.I.

*For Defendant Secretary of Housing and
Urban Development*

ORDER

UPON CONSIDERATION of the Report and Recommendation issued by Magistrate Judge Emile A. Henderson III (Dkt. No. 61) on August 15, 2023, regarding Defendant Denise Walcott’s “Emergency Motion for Temporary Restraining Order, Emergency Motion for Preliminary Injunction to Enjoin [Foreclosure] Sale Scheduled for August 17, 2023” (“Emergency Motion”) (Dkt. No. 55) filed on August 11, 2023; the entire record herein; and for the reasons that will be set forth in a Memorandum Opinion that the Court will issue at a later date, it is hereby

ORDERED that Magistrate Judge Emile A. Henderson III’s Report and Recommendation (Dkt. No. 61) is **ADOPTED AS MODIFIED**; and it is further

ORDERED that Defendant Denise Walcott's Emergency Motion (Dkt. No. 55) is **DENIED**; and it is further

ORDERED that the Marshal's Sale scheduled for **August 17, 2023 at 10:00 a.m.** shall **PROCEED AS SCHEDULED**; and it is further

ORDERED that the Clerk of Court shall provide a copy of this Order to Denise Walcott via certified mail, return receipt requested and by email to **titawalcott@hotmail.com**.¹

SO ORDERED.

Date: August 16, 2023

_____/s/_____
WILMA A. LEWIS
District Judge

¹ Because the Marshal's Sale is scheduled to occur tomorrow, August 17, 2023, the Court is directing the Clerk of Court to send this Order to the email address provided by Ms. Walcott in her Emergency Motion so as to provide her with expedited notice of the Court's ruling.