

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

APR 24 2026

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

HAT NGUYEN,

Plaintiff - Appellant,

v.

U.S. BANK NATIONAL ASSOCIATION,
et al.,

Defendants - Appellees.

No. 25-6588

D.C. No.

2:25-cv-01823-KKE

MEMORANDUM*

Appeal from the United States District Court
for the Western District of Washington
Kymberly K. Evanson, District Judge, Presiding

Submitted April 22, 2026**
Seattle, Washington

Before: MURGUIA, Chief Judge, and McKEOWN and KOH, Circuit Judges.

Plaintiff Hat Nguyen (“Nguyen”) appeals the district court’s denial of Nguyen’s motion for a temporary restraining order (“TRO”). Nguyen’s home in Kent, Washington was sold at a nonjudicial trustee foreclosure sale (“trustee sale”)

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

on August 15, 2025, after Nguyen defaulted on her mortgage in June 2023. The district court denied Nguyen’s motion for a TRO after finding that Nguyen was unlikely to succeed on the merits of her argument that the trustee sale was void. Nguyen appealed.

The district court’s denial of Nguyen’s motion for a TRO is not reviewable on appeal because it was not “tantamount to the denial of a preliminary injunction.” *Env’t Def. Fund, Inc. v. Andrus*, 625 F.2d 861, 862 (9th Cir. 1980); *Kimball v. Commandant Twelfth Naval Dist.*, 423 F.2d 88, 89 (9th Cir. 1970); *Religious Tech. Ctr., Church of Scientology Inter., Inc. v. Scott*, 869 F.2d 1306, 1308 (9th Cir. 1989). Accordingly, we lack jurisdiction to hear this appeal under 28 U.S.C. § 1292.

DISMISSED.