

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

STEPHANIE GUSTIN SWIFT

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v.

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Civil No. – JFM-13-1137

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LOCALUP LLC, ET AL.

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MEMORANDUM

Presently pending are a motion to dismiss the amended complaint filed by defendants and a motion for leave to file a second amended complaint filed by plaintiff. Defendant’s motion will be granted but the dismissal will be without prejudice. Plaintiff’s motion will be denied.

On July 29, 2013, this court entered an order dismissing the original complaint. Plaintiff was granted leave to file an amended complaint. She did so on August 13, 2013.

Plaintiff admits in her response to defendant’s motion to dismiss that in her amended complaint she “failed to plead according to all the specificity requirements, due to a misunderstanding of what was required.” (Plaintiff’s response at 2). She argues that defendant’s motion to dismiss should be denied “to the extent that the honorable Judge chooses to grant Plaintiff’s motion for leave to amend.” *Ibid.*

Plaintiff is appearing pro se. However, she is not an ordinary pro se litigant. She is a recent graduate of William and Mary law school. There simply is no justification for plaintiff having failed to make sufficient allegations in her amended complaint. In order to protect defendant from prejudice and the judicial process from abuse, if plaintiff desires to pursue any claim, she must pay a new filing fee. Because the dismissal is without prejudice, she may, if she chooses, do so.

