

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

NATHANIEL COSTLEY, ET AL.

v.

BANK OF AMERICA, N.A., ET AL.

*
*
*
*
*
*

Civil No. – JFM-13-2488

MEMORANDUM

Ditech Financial, LLC, has filed a motion for summary judgment. The motion will be granted. Plaintiff's claim is barred by limitations because the one year statute limitations for commencing a claim under the Fair Debt Collection Practices Act begins on "from the date of the first violations, and subsequent violations of the same type do not restart the limitations period." *Fontell v. Hassett*, 870 F. Supp. 2d 395, 404 (D. Md. 2012); *see also Bey v. Shapiro Brown & Alt, LLP*, 997 F. Supp. 2d 310, 316-17 (D. Md. 2014).

A separate order granting Ditech's motion is being entered herewith.

Date: May 7, 2017

J. Frederick Motz
J. Frederick Motz
United States District Judge

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND
2017 MAY -5 AM 11:31
CLERK'S OFFICE
AT BALTIMORE
DEPUTY