

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

Chambers of  
**Ellen Lipton Hollander**  
District Court Judge

101 West Lombard Street  
Baltimore, Maryland 21201  
410-962-0742

November 20, 2014

MEMORANDUM TO COUNSEL AND MS. RUSSELL

Re: *Melody A. Russell v. Capital One, N.A.*  
Civil Action No. ELH-14-2954

Dear Counsel and Ms. Russell:

As you know, plaintiff Melody A. Russell, who is self-represented, filed a complaint against defendant Capital One, N.A. (“Capital One”) on September 18, 2014. ECF 1. On November 10, 2014, in response to plaintiff’s complaint, defendant filed a motion to dismiss under Fed. R. Civ. 12(b)(6). ECF 6. On November 20, 2014, plaintiff filed a motion for leave to amend her complaint. ECF 9.

Under Fed. R. Civ. P. 15(a)(1), a “party may amend its pleading once as a matter of course within: (A) 21 days after serving it, or (B) if the pleading is one to which a responsive pleading is required, 21 days after service of a responsive pleading or 21 days after service of a motion under Rule 12(b), (e), or (f), whichever is earlier.”

Accordingly, plaintiff’s motion (ECF 9) is GRANTED, as a matter of course, under Rule 15(a)(1). Therefore, Capital One’s motion to dismiss (ECF 6) is DENIED, as moot, and without prejudice to the right to refile with respect to the amended complaint.

Despite the informal nature of this Memorandum, it is an Order of the Court, and the Clerk is directed to docket it as such.

Very truly yours,

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/s/

Ellen Lipton Hollander  
United States District Judge