

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

Robin Champion, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 Bank of America, N.A., MersCorp/Mers, Inc., )  
 Security Atlantic Mortgage Co., Inc., )  
 Trustee Services of Carolina, LLC., )  
 )  
 Defendants. )  
 )

**JUDGMENT**

5:13-CV-272-BR

**Decision by Court.**

This action came before Senior United States District Judge W. Earl Britt on defendants’ motions to dismiss.

**IT IS ORDERED, ADJUDGED AND DECREED** that the motion to dismiss is **ALLOWED IN PART**. The FDCPA claim against BANA and the RESPA claim against BANA, MERS, and MersCorp are **DISMISSED WITH PREJUDICE**. Plaintiff’s claims against defendants Security Atlantic Mortgage Co. Inc. and Trustee Services of Carolina, LLC are **DISMISSED WITHOUT PREJUDICE** based on plaintiff’s failure to serve those defendants within 120 days of the filing of the complaint. Because the court has dismissed the federal claims and diversity jurisdiction does not exist, the court declines to exercise jurisdiction over plaintiff’s remaining state law claims against BANA, MERS, and MersCorp. See 28 U.S.C. § 1367(c)(3). Those claims are **DISMISSED WITHOUT PREJUDICE**. The Clerk is **DIRECTED** to close this case.

**This judgment filed and entered on January 2, 2014, and served on:**

Robin Champion (via US Mail at 1209 Curtiss Drive, Garner, NC 27529)  
Nathan J. Taylor (via CM/ECF Notice of Electronic Filing)

January 2, 2014

*/s/ Julie A. Richards,*  
Clerk of Court