

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

MARK T. STEPHENS, WENDY S. ELLIOTT,)
Plaintiffs,)

v.)

BANK OF AMERICA HOME LOANS, INC.,)
(formerly COUNTRYWIDE HOME LOANS, INC.),)
BANK OF NEW YORK MELLON AS TRUSTEE,)
MORTGAGE ELECTRONIC REGISTRATION)
SYSTEMS, INC, BSI FINANCIAL SERVICES,)
HUTCHENS LAW FIRM,)
Defendants.)

JUDGMENT IN A CIVIL CASE
CASE NO. 5:16-CV-660-BR

Decision by Court.

This action came before this Court for ruling as follows.

IT IS ORDERED, ADJUDGED AND DECREED that pursuant to an order entered on January 25, 2017 at [DE 34], the motions to dismiss by the BANA Defendants [DE 16], Hutchens Law Firm [DE 25] and BSI Financial Services, Inc. [DE 28] are **ALLOWED IN PART** and **DENIED IN PART**. Counts one through five (state law claims) are **DISMISSED WITH PREJUDICE** as to all defendants; Count seven (TILA and HOEPA) is **DISMISSED WITH PREJUDICE** as to MERS and **DISMISSED WITHOUT PREJUDICE** as to all other defendants; and Count eight (RESPA) is **DISMISSED WITHOUT PREJUDICE** as to all defendants.

IT IS FURTHER ORDERED that the motions to dismiss by the BANA Defendants [DE # 36] and Hutchens Law Firm and BSI Financial Services, Inc. [DE # 38] are **ALLOWED**; Plaintiff's federal and state law claims are **DISMISSED WITH PREJUDICE**; and the clerk is **DIRECTED** to enter judgment and close the case.

This Judgment Filed and Entered on September 28, 2017, and Copies to:

Mark T. Stephens (via US Mail 998 West Durness Ct., Wake Forest, NC 27587)

Wendy S. Elliott (via US Mail 720 Gentle Slope Way, Raleigh, NC 27603)

Christopher B. Karlsson (via CM/ECF Notice of Electronic Filing)

Hilton Terry Hutchens, Jr. (via CM/ECF Notice of Electronic Filing)

Claire L. Collins (via CM/ECF Notice of Electronic Filing)

DATE

September 28, 2017

PETER A. MOORE, JR., CLERK

A handwritten signature in black ink that reads "Susan K. Edwards". The signature is written in a cursive style and is positioned over the seal of the United States District Court for the Eastern District of North Carolina.

(By) Susan K. Edwards, Deputy Clerk

