
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

SCOTT STANFIELD and NISSA
STANFIELD,

Plaintiffs,

v.

LUNDBERG & ASSOCIATES, P.C. and
SHELLPOINT MORTGAGE
SERVICING, INC.,

Defendants.

MEMORANDUM DECISION AND
ORDER

Case No. 2:22-cv-00482-TS-DBP

District Judge Ted Stewart

Chief Magistrate Judge Dustin B. Pead

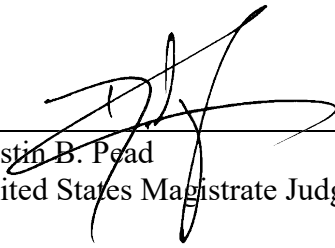
Defendants NewRez LLC d/b/a Shellpoint Mortgage Servicing (Shellpoint) and Lundberg & Associates, P.C. (Lunberg), each respectively move the court to dismiss the Complaint filed by pro se Plaintiffs Scott and Nissa Stanfield.¹ (ECF No. 16, ECF No. 17.) Defendants both assert the court should dismiss the complaint for lack of subject-matter jurisdiction. Plaintiffs filed a response agreeing with Defendants' arguments and the deficiencies in their original complaint. (ECF No. 18.) To remedy these deficiencies, Plaintiffs subsequently filed an Amended Complaint titled "Amended Petition and Request for Emergency Preliminary Injunctive Relief and Verified Claim for Damages." This Amended Complaint brings new claims and a new assertion for jurisdiction – the Fair Debt Collection Practices Act (FDCPA).

Based upon the filing of the Amended Complaint the court denies without prejudice Defendants' motions.²

¹ This matter is referred to the undersigned from Judge Ted Stewart pursuant to 28 U.S.C. § 636(b)(1)(B). (ECF No. 4.)

² This order does not consider whether Plaintiffs' Amended Complaint establishes subject-matter jurisdiction.

DATED this 17 November 2022.



Dustin B. Pead
United States Magistrate Judge