

United States Court of Appeals For the First Circuit

No. 21-1287

BELKIS BRITO,

Plaintiff - Appellant,

v.

CARRINGTON MORTGAGE SERVICES, LLC,

Defendant - Appellee.

Before

Barron, Chief Judge,
Selya and Lynch, Circuit Judges.

JUDGMENT

Entered: June 5, 2023

Plaintiff-appellant Belkis R. Brito appeals from the district court's dismissal pursuant to Fed. R. Civ. P. 12(b)(6) of her complaint against Carrington Mortgage Services, LLC ("Carrington") asserting claims arising from an alleged wrongful foreclosure. The complaint essentially alleges that Carrington failed to comply with notice requirements that do not appear in the mortgage. We have carefully considered the parties' arguments and the record, and concur with the district court's conclusion that the allegations were insufficient to state any plausible claim that Carrington breached the terms of the mortgage or failed to comply with the conditions precedent to exercising the statutory power of sale under Mass. Gen. Laws c. 183, § 21. Affirmed. See 1st Cir. L. R. 27.0(c).

By the Court:

Maria R. Hamilton, Clerk

cc:

Belkis Rosolys Brito, Brady J. Hermann

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BELKIS BRITO

Plaintiff

CIVIL ACTION

V.

NO. 1:20-12206-WGY

CARRIGTON MORTGAGE

Defendant

ORDER OF DISMISSAL

YOUNG, DJ,

In accordance with the Court's allowance of the defendant's motion to dismiss on April 8 2021, it is hereby ORDERED that the above-entitled action be and hereby is dismissed.

By the Court,

April 8, 2021

Date

/s/ Jennifer Gaudet

Deputy Clerk