IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:25-CV-338-BO-BM

JOYLEN DIAZ, Plaintiff, v. THE DRISCOLL FIRM P.C., Defendant.	)	ORDER

This matter is before the Court on defendant's motion to dismiss the complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. Plaintiff has responded, defendant has replied, and a hearing on the motion was held before the undersigned on January 20, 2026, at Raleigh, North Carolina. In this posture, the motion is ripe for disposition.

The Court has considered plaintiff's complaint in light of the applicable standards and determines that plaintiff has stated plausible claims for relief. *See Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007); *ACA Fin. Guar. Corp. v. City of Buena Vista, Virginia*, 917 F.3d 206, 211 (4th Cir. 2019). Accordingly, defendant's motion to dismiss [DE 7] is DENIED.

SO ORDERED, this 17 day of February 2026.

Terrence Boyle

TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE