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APPROVAL OF THE APPELLATE DIVISION**

This opinion shall not "constitute precedent or be binding upon any court."
Although it is posted on the internet, this opinion is binding only on the
parties in the case and its use in other cases is limited. R. 1:36-3.

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-1917-16T1

CHARMAINE B. WRIGHT,

Plaintiff-Appellant,

v.

JP MORGAN CHASE BANK, NA,
CHASE HOME FINANCE, LLC,
and NEW JERSEY HOUSING AND
MORTGAGE FINANCING AGENCY,

Defendants-Respondents.

Submitted January 31, 2018 – Decided February 21, 2018

Before Judges Fuentes, Koblitz and Manahan.

On appeal from Superior Court of New Jersey,
Law Division, Burlington County, Docket No.
L-2157-16.

Charmaine B. Wright, appellant pro se.

Parker Ibrahim & Berg, LLC, attorneys for
respondent JP Morgan Chase Bank, NA (Scott W.
Parker and Olga O'Donnell, on the brief).

Gurbir S. Grewal, Attorney General, attorney
for respondent New Jersey Housing and Mortgage
Finance Agency (Jason W. Rockwell, Assistant
Attorney General, of counsel; Nels J.
Lauritzen, Deputy Attorney General, on the
brief).

PER CURIAM

Charmaine B. Wright appeals from an order dismissing her fourth complaint against JP Morgan Chase Bank, NA, by itself and as Successor by merger to Chase Home Finance, LLC, and New Jersey Housing and Mortgage Finance Agency. We affirm.

On appeal, Wright raises the following arguments.

POINT I

THE TRIAL COURT ERRED AND ABUSED ITS DISCRETION BY DISMISSING THE APPELLANT'S CLAIMS PURSUANT TO THE ECONOMIC LOSS DOCTRINE & STATUTE OF LIMITATIONS WHEREIN THERE WAS NEVER AN ENFORCEABLE CONTRACT IN DISPUTE, AND THE STATUTE OF LIMITATIONS ARE TOLLED.

POINT II

THE TRIAL COURT ERRED AND ABUSED ITS DISCRETION BY DISMISSING THE APPELLANT'S COMPLAINT WITH PREJUDICE, PROHIBITING THE APPELLANT FROM AMENDING THE COMPLAINT, AND BRINGING ANY CLAIMS IN THE FUTURE.

Having considered these arguments in light of the record, we conclude that they are meritless and do not require discussion in a written opinion. R. 2:11-3(e)(1)(E). We add only the following.

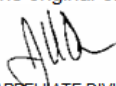
Wright contests the court's decision to dismiss her fourth complaint with prejudice. Notwithstanding the opportunity to provide sufficient facts to sustain a cause of action in her first three pleadings, Wright could not meet her minimal burden. In the circumstances presented, we are satisfied that "further

opportunity to amend would not be fruitful." Johnson v. Glassman, 401 N.J. Super. 222, 247 (App. Div. 2008). Plaintiffs who have no further facts to plead may not continue to file pleadings "in the hope that [they] could use the tools of discovery to uncover evidence of wrongdoing." Nostrame v. Santiago, 213 N.J. 109, 128 (2013). In such a context, dismissal with prejudice is "entirely appropriate." Ibid.

The decision to dismiss with prejudice and to deny further amendment are matters left to the discretion of the court. Id. at 127; See also Hoffman v. Hampshire Labs, Inc., 405 N.J. Super. 105, 116 (App. Div. 2009). Here, we hold the court's decision was within the sound exercise of discretion.

Affirmed.

I hereby certify that the foregoing
is a true copy of the original on
file in my office.


CLERK OF THE APPELLATE DIVISION