

MARIO CASTRO, MAGDALENA CASTRO, Petitioners,

v.

BANK OF NEW YORK MELLON, et al., Respondents.

No. 3:20-cv-264-MOC-DSC

United States District Court, W.D. North Carolina, Charlotte Division

July 10, 2020

ORDER

MAX O. COGBUR, JR. UNITED STATES DISTRICT JUDGE

This matter is before the Court on Petitioners' pro se Motion for Reconsideration re Order Dismissing Case as Frivolous. (Doc. No. 12). Petitioners Mario and Magdalena Castro asserted in their initial application to confirm arbitration award that an arbitration award of more than \$1.275 million, entered by an entity known as the Sitcomm Arbitration Association, has been entered against the named Respondents. On May 19, 2020, this Court denied Petitioners' application and dismissed this action for the reasons stated in Respondents' brief in opposition. That is, Petitioners are attempting to enforce a non-existent arbitration award, as no binding arbitration agreement exists between the parties. Petitioners have now filed the pending motion for reconsideration, again insisting that the arbitration award is valid. The Court denies the motion, as Respondents have shown in their initial response to the initial application to confirm arbitration award and in their response to the motion for reconsideration that there is no binding arbitration award between the parties.

ORDER

IT IS, THEREFORE, ORDERED that:

(1) Petitioners' "pro se Motion for Reconsideration re Order Dismissing Case as Frivolous, (Doc. No. 12), is **DENIED**.