

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
VIRGINIA, RICHMOND DIVISION

Deangelo Johnson v. Trans Union LLC, et al.

Johnson v. Trans Union LLC · No. 3:25CV527 (RCY) · Decided May 28, 2026

SUMMARY

The United States District Court for the Eastern District of Virginia granted Exeter Finance LLC’s motion to dismiss in a Fair Credit Reporting Act-related action. The court held that the Virginia state court retained jurisdiction because it had not received notice of removal before dismissing the case with prejudice, and that the federal court was bound by that judgment. The court concluded that no remaining case or controversy existed.

CASE DETAILS

COURT	United States District Court for the Eastern District of Virginia, Richmond Division
WRITING FOR THE COURT	Roderick C. Young
JURISDICTION	United States District Court for the Eastern District of Virginia, Richmond Division
DECIDED	May 28, 2026
DOCKET	3:25CV527 (RCY)
DISPOSITION	dismissed
PROCEDURAL POSTURE	After removal from Henrico County General District Court, Exeter Finance LLC moved to dismiss the federal action for lack of subject matter jurisdiction or because no live case or controversy remained. The district court granted the motion.
STANDARD OF REVIEW	The court applied the Article III case-or-controversy requirement and reviewed whether a live controversy remained after the state court entered judgment during the period of concurrent state and federal jurisdiction. Removal statutes were strictly construed in deference to federalism concerns.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Deangelo Johnson v. Trans Union LLC, Exeter Finance LLC

TOPICS

subject matter jurisdiction

motions to dismiss

credit reporting

federalism

civil procedure

PRACTICE AREAS

civil procedure

removal jurisdiction

consumer credit reporting

QUESTIONS PRESENTED

1. Whether the state court retained jurisdiction when the defendant filed a notice of removal in federal court but did not file the notice with the state-court clerk.
2. Whether the federal court could review or disturb the state court's dismissal entered during the period of concurrent state and federal jurisdiction.
3. Whether the state court's dismissal eliminated any live case or controversy requiring dismissal of the federal action.

HOLDINGS

1. A state court retains jurisdiction after a notice of removal is filed in federal court until a copy of the notice is filed with the state-court clerk as required by 28 U.S.C. § 1446(d).
2. The federal court could not review or otherwise disturb the state court's dismissal because the state court had jurisdiction when it entered that judgment.
3. The federal action had to be dismissed because the state court's dismissal with prejudice resolved the dispute and left no remaining case or controversy.

KEY QUOTATIONS

“Under Article III of the Constitution, federal courts may adjudicate only actual, ongoing cases or controversies.”

“Because federal jurisdiction attaches when the notice of removal is filed in federal court, and state court jurisdiction continues until the notice is filed in state court, there is “concurrent state and federal jurisdiction during the period between the filing of the notice of removal in federal court and the filing in state court.””

“Because Henrico GDC had jurisdiction on July 25, 2025, when it dismissed Plaintiff’s case with prejudice, it would be improper for this Court to review or otherwise disturb the rendered judgment.”

FACTUAL BACKGROUND

Johnson filed an action in Henrico County General District Court and Trans Union later filed a notice of removal in the federal court. The state court apparently did not receive the required notice of removal and, while it still had jurisdiction, dismissed Johnson's case with prejudice after Johnson failed to appear. The federal court concluded that the state judgment left no remaining case or controversy and noted that Johnson had a separate, nearly indistinguishable Fair Credit Reporting Act action against Exeter pending in the same court.

PROCEDURAL HISTORY

Johnson filed suit in Henrico County General District Court on or about June 6, 2025. Trans Union filed a notice of removal in federal court on July 2, 2025, but the state court did not receive notice of removal before it dismissed the case with prejudice on July 25, 2025. The federal court later proceeded with the action, Trans Union answered, and Exeter moved to dismiss; Johnson opposed the motion, and Johnson and Trans Union subsequently stipulated to dismissal as to Trans Union.

DISPOSITION

dismissed

CASES CITED

- Lewis v. Continental Bank Corp., 494 U.S. 472, 477 (1990)
- Deakins v. Monaghan, 484 U.S. 193, 199 (1988)
- Preiser v. Newkirk, 422 U.S. 395, 401 (1975)
- Genesis Healthcare, Inc. v. Becerra, 39 F.4th 253, 259 (4th Cir. 2022)
- Pashby v. Delia, 709 F.3d 307, 316 (4th Cir. 2013)
- Burroughs v. Palumbo, 871 F. Supp. 870, 872 (E.D. Va. 1994)
- Berberian v. Gibney, 514 F.2d 790, 792 (1st Cir. 1975)
- Yancey v. La Cima Rest., LLC, 2020 WL 13617432, at *2-*3 (D.S.C. July 6, 2020)
- Mulcahey v. Columbia Organic Chem. Co., 29 F.3d 148, 151 (4th Cir. 1994)
- Miller v. MediCredit, Inc., 2019 WL 13251352, at *3 (E.D. Va. Sept. 3, 2019)