UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK

Robert Wallace-Bey v. America's Christian Credit Union

Wallace-Bey v. America's Christian Credit Union, No. 25-CV-5558 (RER) (JAM) (E.D.N.Y. Dec. 19, 2025) · No. 25-CV-5558 (RER) (JAM) · Decided December 19, 2025

SUMMARY

The Eastern District of New York dismissed Robert Wallace-Bey's second amended complaint against America's Christian Credit Union without prejudice. The court held that Plaintiff lacked standing because the denied membership application belonged to Temple of Seven Inc., and alternatively held that the allegations did not state a claim under the Equal Credit Opportunity Act.

CASE DETAILS

COURT	United States District Court for the Eastern District of New York
WRITING FOR THE COURT	Ramón E. Reyes, Jr.
JURISDICTION	United States District Court for the Eastern District of New York
DECIDED	December 19, 2025
DOCKET	25-CV-5558 (RER) (JAM)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff proceeding in forma pauperis filed a second amended complaint alleging that America's Christian Credit Union violated the Equal Credit Opportunity Act. The district court dismissed the action without prejudice for lack of subject-matter jurisdiction based on lack of standing and alternatively for failure to state an ECOA claim.
STANDARD OF REVIEW	The court reviewed the pro se complaint under the plausibility standard of Federal Rule of Civil Procedure 8 as described in Bell Atlantic Corp. v. Twombly and Ashcroft v. Iqbal, and screened the in forma pauperis action under 28 U.S.C. § 1915(e)(2)(B). The court also considered subject-matter jurisdiction sua sponte under Federal Rule of Civil Procedure 12(h)(3).
PRECEDENTIAL VALUE	unpublished district court opinion
PARTIES	Robert Wallace-Bey v. America's Christian Credit Union

TOPICS

standing | subject matter jurisdiction | motions to dismiss | civil procedure | consumer protection

PRACTICE AREAS

civil procedure | constitutional law | consumer protection | civil rights

QUESTIONS PRESENTED

1. Whether Plaintiff had Article III standing to challenge the denial of an account application made by or for Temple of Seven Inc.
2. Whether Plaintiff stated an Equal Credit Opportunity Act claim by alleging that the account application was denied based on a personal credit-history charge-off rather than a protected characteristic.

HOLDINGS

1. Plaintiff lacked Article III standing because he did not allege that he personally was denied a ministry account and could not assert the corporation's injury.
2. Plaintiff failed to state an Equal Credit Opportunity Act claim because he did not allege facts suggesting that the denial was based on race, color, religion, national origin, sex, marital status, or age.

KEY QUOTATIONS

> *“To establish Article III standing, a plaintiff must show (1) an injury in fact, (2) a sufficient causal connection between the injury and the conduct complained of, and (3) a likelihood that the injury will be redressed by a favorable decision.”*

> *“Accordingly, the action, filed in forma pauperis, is dismissed, without prejudice, for lack of subject matter jurisdiction because Plaintiff lacks standing, Fed. R. Civ. P. 12(h)(3), and, in the alternative, for failure to state a claim under the Equal Credit Opportunity Act.”*

FACTUAL BACKGROUND

Robert Wallace-Bey alleged that he personally applied for a ministry account with America's Christian Credit Union and that the application was denied based on a signer’s unpaid Capital One charge-off reflected in a ChexSystems record. The denial letter, however, referred to the membership application for Temple of Seven Inc., and Plaintiff did not allege that he personally was denied a ministry account. Plaintiff claimed discrimination under the Equal Credit Opportunity Act and sought damages and injunctive relief.

PROCEDURAL HISTORY

Plaintiff and Temple of Seven Inc. initially filed the action on October 1, 2025. The court dismissed Temple of Seven Inc. because a corporation cannot appear pro se, dismissed the original complaint for lack of standing, and granted Plaintiff leave to amend. After Plaintiff filed an amended complaint, the court dismissed it with leave to file a second amended complaint. Plaintiff then filed the second amended complaint, which the court dismissed without prejudice.

DISPOSITION

dismissed

CASES CITED

- Zhao v. KeZhang, Inc., No. 18-CV-6452 (EK) (VMS), 2025 WL 2773022, at *1 (E.D.N.Y. Sept. 29, 2025)
- Jacobs v. Patent Enforcement Fund Inc., 230 F.3d 565, 568 (2d Cir. 2000)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Matson v. Bd. of Educ. of City Sch. Dist. of N.Y., 631 F.3d 57, 63 (2d Cir. 2011)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007) (per curiam)
- Estelle v. Gamble, 429 U.S. 97, 106 (1976)
- Harris v. Mills, 572 F.3d 66, 72 (2d Cir. 2009)
- Lyndonville Sav. Bank & Trust Co. v. Lussier, 211 F.3d 697, 700–01 (2d Cir. 2000)
- Warth v. Seldin, 422 U.S. 490, 498 (1975)
- Lujan v. Defs. of Wildlife, 504 U.S. 555 (1992)
- Susan B. Anthony List v. Driehaus, 573 U.S. 149, 157 (2014)
- Bingham v. Zolt, 66 F.3d 553, 561–62 (2d Cir. 1995)
- Hussein v. Occupant of the Office of CEO & CFO of Bank of America, No. 24-CV-4477 (RPK) (MMH), 2025 WL 2783108, at *4 (E.D.N.Y. Sept. 30, 2025)
- Houston v. Wells Fargo, No. 24 Civ. 7637 (JGLC), 2025 WL 1582079, at *3–4 (S.D.N.Y. June 4, 2025)
- Coppedge v. United States, 369 U.S. 438, 444–45 (1962)

OPINION

Wallace-Bey
PER CURIAM.
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
---X Robert Wallace-Bey, Plaintiff, MEMORANDUM & ORDER
25-CV-5558 (RER) (JAM)
-against- America's Christian Credit Union, Defendant. ---X RAMÓN E. REYES, JR., District Judge: On October 1, 2025, Plaintiffs Temple of Seven Inc. and Robert Wallace-Bey, appearing pro se, filed this action against Defendant America's Christian Credit Union ("ACCU"). (ECF No. 1). By Order dated October 21, 2025, the Court dismissed Temple of Seven Inc. from the action,1 granted Plaintiff Wallace-Bey's (hereinafter "Plaintiff") in forma pauperis ("IFP") application, and dismissed the complaint because Plaintiff failed to show that he had standing to bring the action and granted him leave to file an amended complaint by November 21, 2025. (ECF No. 6). On November 6, 2025, Plaintiff filed an amended

complaint against ACCU alleging claims pursuant to the Equal Credit Opportunity Act ("ECOA"), 15 U.S.C. § 1691 et seq., Title II of the Civil Rights Act ("Title II"), 42 U.S.C. § 2000A et seq., and the Religious Freedom and Restoration Act ("RFRA"), 42 U.S.C. § 200bb, et seq. (ECF No. 7). By Order dated November 21, 2025, the Court dismissed the amended complaint with leave to file a second amended complaint by December 22, 2025. (ECF No. 8). On December 18, 1 "[A] corporation cannot appear pro se in federal court," including a religious corporation. Zhao v. KeZhang, Inc., No. 18-CV-6452 (EK) (VMS), 2025 WL 2773022, at *1 (E.D.N.Y. Sept. 29, 2025) (citing Jacobs v. Patent Enforcement Fund Inc., 230 F.3d 565, 568 (2d Cir. 2000). The Clerk of Court is directed to reflect the caption as set forth in the second amended complaint and terminate Temple of Seven Inc. as a plaintiff in this action. 2025, Plaintiff filed a second amended complaint alleging that ACCU violated his rights under the ECOA. (ECF No. 10).

BACKGROUND

Plaintiff alleges that "[o]n June 11, 2025, [he] personally applied for a ministry account with ACCU," and was the "sole individual evaluated by ACCU in determining whether to approve or deny the application." (ECF No. 10 at 2). Plaintiff alleges that "ACCU issued a letter (attached as Exhibit A) denying Plaintiff's application, stating that the denial was based solely on Plaintiff's personal ChexSystems record, specifically an alleged unpaid Capital One charge-off of $230.89." (Id.) Plaintiff alleges that "ACCU's denial was discriminatory because ACCU conditioned approval on Plaintiff's personal credit history," and that he "was personally injured" as a result. (Id.). Plaintiff seeks $50,000 in damages and injunctive relief. (Id. at 3).

LEGAL STANDARD

A complaint must plead "enough facts to state a claim to relief that is plausible on its face." Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007). A claim is plausible "when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." Matson v. Bd. of Educ. of City Sch. Dist. of N.Y., 631 F.3d 57, 63 (2d Cir. 2011) (quoting Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)). Although all allegations contained in the complaint are assumed to be true, this tenet is "inapplicable to legal conclusions." Iqbal, 556 U.S. at 678. In reviewing a pro se complaint, courts must be mindful that a plaintiff's pleadings are held "to less stringent standards than formal pleadings drafted by lawyers." Erickson v. Pardus, 551 U.S. 89, 94
(2007) (per curiam) (quoting Estelle v. Gamble, 429 U.S. 97, 106 (1976)); see also Harris
v. Mills, 572 F.3d 66, 72 (2d Cir. 2009) (noting that even after Twombly, courts "remain obligated to construe a pro se complaint liberally"). Nonetheless, when a plaintiff seeks to proceed without paying the filing fee, the court must dismiss the action if the court determines that the action "(i) is frivolous or malicious; (ii) fails to state a claim on which relief may be granted; or (iii) seeks monetary relief against a defendant who is immune from such relief." 28 U.S.C. § 1915(e)(2)(B). In addition, "[i]f the court determines at any time that it lacks subject-matter jurisdiction, the court must dismiss the action." Fed. R. Civ. P. 12(h)(3). Federal subject matter jurisdiction is available

only when a "federal question" is presented, 28 U.S.C. § 1331, or when plaintiff and defendants are of diverse citizenship and the amount in controversy exceeds $75,000, 28 U.S.C. § 1332. "[F]ailure of subject matter jurisdiction is not waivable and may be raised at any time by a party or by the court sua sponte. If subject matter jurisdiction is lacking, the action must be dismissed." Lyndonville Sav. Bank & Trust Co. v. Lussier, 211 F.3d 697, 700–01 (2d Cir. 2000).

DISCUSSION

The Court finds that the second amended complaint still does not allege facts to show that Plaintiff has standing. Plaintiff does not allege that he was denied a ministry account. Rather, Plaintiff alleges that Defendant failed to approve "the membership application for Temple of Seven Inc." as referenced in the ACCU letter dated September 29, 2025, he attached as an exhibit. (ECF No. 10 at 5.) An actual "case or controversy" is required under Article III, Section 2 of the Constitution, that is, Plaintiff must show that he has "standing" to sue the defendant. Warth v. Seldin, 422 U.S. 490, 498 (1975); Lujan v. Defs. of Wildlife, 504 U.S. 555 (1992). "To establish Article III standing, a plaintiff must show (1) an injury in fact, (2) a sufficient causal connection between the injury and the conduct complained of, and (3) a likelihood that the injury will be redressed by a favorable decision." Susan B. Anthony List v. Driehaus, 573 U.S. 149, 157 (2014) (citation and brackets omitted). To the extent that ACCU denied "the membership application for Temple of Seven Inc.," (ECF No. 10 at 5), Plaintiff does not have standing to sue. See Bingham v. Zolt, 66 F.3d 553, 561–62 (2d Cir. 1995). To the extent Plaintiff alleges that the claims are personal to him and arise under the ECOA,2 his claim also fails. According to Plaintiff and the ACCU's letter dated September 29, 2025, attached as an exhibit, the account was denied because "[o]ne signer currently has an unpaid charge-off in the amount of $230.80 with Capital One." (ECF No. 10 at 5). There are no facts to suggest or support that ACCU discriminated against Plaintiff on the basis of "race, color, religion, national origin, sex or marital status or age." 15 U.S.C. § 1691(a)(1). Instead, Plaintiff alleges that the denial was based on his "personal ChexSystems record, specifically an alleged unpaid Capital One charge-off of $230.89." (ECF No. 10 at 2). As such, Plaintiff's allegations do not support a claim under the ECOA. See Hussein v. Occupant of the Office of CEO & CFO of Bank of America, No. 24-CV-4477 (RPK) (MMH), 2025 WL 2783108, at *4 (E.D.N.Y. Sept. 30, 2025) (dismissing pro se complaint alleging an ECOA claim as conclusory and for failure to state a claim); Houston v. Wells Fargo, No. 24 Civ. 7637 (JGLC), 2025 WL 1582079, at *3–4 2 ECOA provides that it is "unlawful for any creditor to discriminate against any applicant, with respect to any aspect of a credit transaction" on the basis "of race, color, religion, national origin, sex or marital status, or age." 15 U.S.C. § 1691(a)(1). (S.D.N.Y. June 4, 2025) (same). Despite several opportunities to do so, Plaintiff has failed to state a claim under the ECOA.

CONCLUSION

Accordingly, the action, filed in forma pauperis, is dismissed, without prejudice, for lack of subject matter jurisdiction because Plaintiff lacks standing, Fed. R. Civ. P. 12(h)(3), and, in the alternative,

for failure to state a claim under the Equal Credit Opportunity Act. 28 U.S.C. § 1915(e)(2)(B). The Clerk of Court is respectfully directed to enter judgment, close this case, and mail a copy of this Memorandum and Order to Plaintiff and note the mailing on the docket. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore in forma pauperis status is denied for the purpose of an appeal. See Coppedge v. United States, 369 U.S. 438, 444–45
(1962).

SO ORDERED. /s/ Ramón E. Reyes, Jr. RAMÓN E. REYES, JR. United States District Judge Dated: December 19, 2025 Brooklyn, New York