UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS, FORT WORTH DIVISION

Steven Bradley v. Capital One Bank (USA), N.A.

Bradley · No. No. 4:25-cv-1077-P · Decided January 21, 2026

SUMMARY

The United States District Court for the Northern District of Texas reviewed objections to a magistrate judge’s findings and recommendation concerning Capital One’s motion to dismiss. The court upheld the recommendation, allowing Steven Bradley’s Fair Credit Reporting Act claim to proceed while dismissing his Fair Debt Collection Practices Act claim with prejudice and denying further leave to amend.

CASE DETAILS

COURT	United States District Court for the Northern District of Texas, Fort Worth Division
WRITING FOR THE COURT	Mark T. Pittman
JURISDICTION	United States District Court for the Northern District of Texas, Fort Worth Division
DECIDED	January 21, 2026
DOCKET	No. 4:25-cv-1077-P
DISPOSITION	other
PROCEDURAL POSTURE	The district court conducted de novo review of a magistrate judge's findings, conclusions, and recommendation concerning Capital One's motion to dismiss the first amended complaint after both parties filed objections.
STANDARD OF REVIEW	The district court reviewed timely objections to the magistrate judge's dispositive recommendation de novo under Federal Rule of Civil Procedure 72(b)(3). The Rule 12(b)(6) analysis asked whether the complaint stated a plausible claim for relief, accepting well-pleaded nonconclusory allegations as true and construing a pro se complaint liberally.
PRECEDENTIAL VALUE	Unknown; district court order with no reported citation.
PARTIES	Steven Bradley v. Capital One Bank (USA), N.A.

TOPICS

motions to dismiss | credit reporting | fair debt collection | pleadings | civil procedure

PRACTICE AREAS

civil procedure | consumer credit reporting | fair debt collection | consumer protection

QUESTIONS PRESENTED

1. Whether Bradley plausibly stated a claim under FCRA § 1681s-2(b) based on an alleged disputed tradeline and a notation on a TransUnion credit report.
2. Whether Bradley plausibly alleged that Capital One was a debt collector subject to the FDCPA when it attempted to collect a debt arising from credit Capital One extended to him.
3. Whether Bradley should receive further leave to amend his FDCPA claim.

HOLDINGS

1. Bradley plausibly stated an FCRA claim because the alleged TransUnion notation that the account was previously in dispute provided a plausible basis to infer that a consumer reporting agency notified Capital One of the dispute and that Capital One failed to investigate.
2. Bradley failed to state an FDCPA claim because he alleged that Capital One extended credit to him and was attempting to collect a debt owed to itself, making Capital One a creditor rather than a debt collector under the FDCPA.
3. Further leave to amend the FDCPA claim was denied because Bradley had already received essentially two opportunities to amend and another amendment would be futile.

KEY QUOTATIONS

> *"To recover against a furnisher for violations of § 1681s-2(b), a plaintiff must show that: (1) he disputed the accuracy or completeness of information with a [CRA]; (2) the agency notified the furnisher of the consumer's dispute; (3) and the furnisher failed to conduct an investigation . . . ."*

> *"A "claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.""*

> *"The FDCPA claim is hereby DISMISSED with prejudice."*

FACTUAL BACKGROUND

Steven Bradley, proceeding pro se, alleged that Capital One violated the Fair Credit Reporting Act by continuing to furnish or report a disputed tradeline and failing to conduct a reasonable investigation. He also alleged that Capital One violated the Fair Debt Collection Practices Act by failing to provide sufficient validation while continuing collection and reporting activity. Bradley sought statutory, actual, and punitive damages, costs, expenses, and permanent deletion of the disputed tradeline.

PROCEDURAL HISTORY

The magistrate judge recommended granting in part and denying in part Defendant's motion to dismiss. Defendant and Plaintiff filed objections and a response. The district court overruled the objections, affirmed and adopted the recommendation, granted the motion to dismiss in part and denied it in part, dismissed the FDCPA claim with prejudice, and denied further leave to amend.

DISPOSITION

other

CASES CITED

- Swierkiewicz v. Sorema N.A., 534 U.S. 506, 513 (2002)
- Kaiser Aluminum & Chem. Sales, Inc. v. Avondale Shipyards, Inc., 677 F.2d 1045, 1050 (5th Cir. 1982)
- Guidry v. Bank of LaPlace, 954 F.2d 278, 281 (5th Cir. 1992)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Dorsey v. Portfolio Equities, Inc., 540 F.3d 333, 338 (5th Cir. 2008)
- Sullivan v. Leor Energy, LLC, 600 F.3d 542, 546 (5th Cir. 2010)
- Jones v. Greninger, 188 F.3d 322, 327 (5th Cir. 1999)
- Estelle v. Gamble, 429 U.S. 97, 106 (1976)
- Levitt v. Univ. of Tex. at El Paso, 847 F.2d 221, 224 (5th Cir. 1988)
- Bounds v. Smith, 430 U.S. 817, 825-26 (1977)
- Covington v. Cole, 528 F.2d 1365, 1370 (5th Cir. 1976)
- Masika Brown Ray v. Anthony Boone et al., No. 24-40169, 2024 WL 4372692, at *1 (5th Cir. 2024)
- Shaunfield v. Experian Info. Sols., Inc., 991 F. Supp. 2d 786, 805 (N.D. Tex. 2014)
- Henry v. Capital One Bank (USA), N.A., No. 3:17-cv-2962-M0BK, 2018 WL 4346727, at *2 (N.D. Tex. Aug. 9, 2018)
- Hunsinger v. Sko Brenner Am., Inc., No. 3:13-cv-0988-D, 2014 WL 1462443, at *7 (N.D. Tex. Apr. 15, 2014)
- Infante v. Law Office of Joseph Onwuteaka, P.C., 735 F. App'x 839, 842 (5th Cir. 2018)