UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA, CHARLESTON DIVISION

Jermaine Billie v. Credence Resource Management LLC

Billie · No. 2:25-cv-00861-BHH · Decided March 6, 2026

SUMMARY

The United States District Court for the District of South Carolina reviewed objections to a magistrate judge’s report recommending dismissal of Jermaine Billie’s claims under the FDCPA, FCRA, TCPA, and South Carolina law. The court overruled the objections, adopted the report, granted Credence Resource Management LLC’s motion to dismiss, and dismissed the action in full.

CASE DETAILS

COURT	United States District Court for the District of South Carolina, Charleston Division
WRITING FOR THE COURT	Bruce Howe Hendricks
JURISDICTION	United States District Court for the District of South Carolina, Charleston Division
DECIDED	March 6, 2026
DOCKET	2:25-cv-00861-BHH
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's report and recommendation de novo because Plaintiff filed objections. The court adopted the report, overruled the objections, granted Defendant's motions to dismiss under Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), and dismissed the action in full.
STANDARD OF REVIEW	The court conducted de novo review of the portions of the report and recommendation to which specific objections were made. It reviewed unobjected portions for clear error. The court also applied Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6) in evaluating the motion to dismiss.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Jermaine Billie v. Credence Resource Management LLC

TOPICS

motions to dismiss | standing | subject matter jurisdiction | fair debt collection | credit reporting

PRACTICE AREAS

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

QUESTIONS PRESENTED

1. Whether Plaintiff's objections required rejection or modification of the magistrate judge's recommendation to dismiss the action.
2. Whether Plaintiff alleged a concrete injury sufficient to establish Article III standing for his FCRA, FDCPA, and SCCPA claims.
3. Whether Plaintiff's conclusory allegations stated an actionable claim under the TCPA.
4. Whether the magistrate judge improperly applied a summary-judgment standard, failed to liberally construe Plaintiff's pro se pleadings, failed to consider Plaintiff's opposition to dismissal, or recommended dismissal before discovery.

HOLDINGS

1. Plaintiff lacked Article III standing because his conclusory allegations did not establish a concrete injury resulting from the alleged statutory violations.
2. Plaintiff failed to state a claim under the TCPA because his conclusory allegations did not establish an actionable violation.
3. The magistrate judge correctly applied the governing legal standards, assumed the truth of Plaintiff's allegations, and liberally construed his pro se pleadings.

KEY QUOTATIONS

> *"The magistrate makes only a recommendation to this Court. The recommendation has no presumptive weight, and responsibility for making a final determination remains with this Court."* (Standard of Review)

> *"Based on the foregoing, the Court adopts and specifically incorporates the Magistrate Judge's Report (ECF No. 35); overrules Plaintiff's objections (ECF No. 45); and grants Defendant's motion to dismiss."* (Conclusion)

FACTUAL BACKGROUND

Jermaine Billie alleged that Credence Resource Management LLC violated the Fair Debt Collection Practices Act, Fair Credit Reporting Act, Telephone Consumer Protection Act, and South Carolina law. His allegations concerned purported statutory violations by Defendant, but the court concluded that they did not establish a concrete injury for purposes of Article III standing and did not state an actionable TCPA claim. The court accepted the magistrate judge's determination that the pleadings had been liberally construed and their allegations assumed true for purposes of review.

PROCEDURAL HISTORY

Plaintiff filed claims under the FDCPA, FCRA, TCPA, and South Carolina law. Defendant moved to dismiss, arguing that Plaintiff lacked a concrete injury and failed to state claims under the FCRA, TCPA, and SCCPA. Magistrate Judge Mary Gordon Baker recommended dismissal, concluding that Plaintiff lacked standing for his FCRA, FDCPA, and SCCPA claims and had not stated an actionable TCPA claim. After Plaintiff objected, the district court conducted de novo review, adopted the report, overruled the objections, and dismissed the case.

DISPOSITION

dismissed

CASES CITED

- Mathews v. Weber, 423 U.S. 261, 270-71 (1976)
- Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005)
- Spokeo, Inc. v. Robins
- TransUnion LLC v. Ramirez

OPINION

Billie
PER CURIAM.
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION
Jermaine Billie,)) Plaintiff,)) Civil Action No. 2:25-cv-00861-BHH v.)) Order Credence Resource Management LLC,)) Defendant.) ___________________________________) Pro se Plaintiff Jermaine Billie ("Plaintiff") filed this civil action against Defendant Credence Resource Management, LLC ("Defendant"), asserting violations of the Fair Debt Collection Practices Act ("FDCPA"), Fair Credit Reporting Act ("FCRA"), Telephone Consumer Protection Act ("TCPA"), and South Carolina state law. (ECF No. 1.) Pursuant to the provisions of Title 28, United States Code § 636(b)(1)(A), and the Local Rules, D.S.C., this matter was referred to a United States Magistrate Judge for preliminary consideration. Now before the Court is Defendant's motion to dismiss this action pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). (ECF No. 22.) Therein, Defendant asserts that Plaintiff's claims must be dismissed because (1) Plaintiff fails to allege a concrete, actual injury or harm resulting from Defendant's alleged conduct, and (2) Plaintiff fails to plead facts to state a cause of action under the FCRA, TCPA, or the South Carolina Consumer Protection Code ("SCCPA"). (ECF No. 22-1 at 2.) Plaintiff filed a response in opposition. (ECF No. 25.) On October 15, 2025, United States Magistrate Judge Mary Gordon Baker issued a Report and Recommendation ("Report"), outlining the issues and recommending that the Court grant Defendant's motion to dismiss and dismiss in full Plaintiff's case. (ECF No. 35.) Specifically, the Magistrate Judge found that Plaintiff lacks standing to bring his FCRA,

FDCPA, and SCCPA claims because he failed to show a concrete injury to confer standing and that Plaintiff's complaint fails to allege a TCPA claim upon which relief may be granted. (Id. at 14.) Plaintiff filed objections to the Report, and Defendant filed an opposition to Plaintiff's objections. (ECF Nos. 45, 48.) Standard of Review The magistrate makes only a recommendation to this Court. The recommendation has no presumptive weight, and responsibility for making a final determination remains with this Court. Mathews v. Weber, 423 U.S. 261, 270-71 (1976). This Court is charged with making a de novo determination of those portions of the Report to which a specific objection is made, and this Court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). This Court may also "receive further evidence or recommit the matter to the magistrate with instructions." Id. In the absence of specific objections, the Court reviews the matter only for clear error. See Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (stating that "in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must 'only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.'") (quoting Fed. R. Civ. P. 72 advisory committee's note). Discussion The Report sets forth the relevant fact allegations and standards of review, and no party objects to these portions of the Report. Accordingly, the Court incorporates those factual allegations and standards of review without a recitation. Plaintiff's objections begin with a "preliminary statement," which contains no specific objections to Report, followed by general complaints that the Magistrate Judge mistakenly applied a summary judgment standard, failed to liberally construe his pleadings as a pro se litigant, and failed to consider Plaintiff's response to Defendant's motion to dismiss. (ECF No. 45 at 1-3.) Plaintiff then complains that the Magistrate Judge recommends dismissal before discovery. (Id. at 3.) A review of the Report, however, reveals that the Magistrate Judge correctly applied the legal standards set forth in her Report and assumed the truth of, and liberally construed all allegations pleaded by Plaintiff. Thus, the Court finds no merit to these general objections. Plaintiff's next objections are that the Magistrate Judge inaccurately interpreted the FCRA, and "disregarded Spokeo, Inc. v. Robins and TransUnion LLC v. Ramirez, which both hold that Congress may elevate intangible harms – such as invasions of statutorily protected interests – to the status of concrete injuries under Article III." (ECF No. 45 at 4, 6-7.) However, a review of the Report reveals just the opposite. Indeed, the Magistrate Judge closely examined Plaintiff's allegations of harm due to Defendant's purported FCRA and FDCPA violations and applied the relevant law, which notably included both Spokeo and TransUnion. (ECF No. 35 at 10-12.) After de novo review, the Court finds that the Report's standing analysis is supported by the law and is without error. The Court also cannot ascertain a concrete injury for violations of the FCRA, FDCPA, and SCCPA or an actionable TCPA claim from Plaintif's conclusory allegations. Accordingly, the Court overrules these objections. Conclusion Based on the foregoing, the Court adopts and specifically incorporates the Magistrate Judge's Report (ECF No. 35); overrules Plaintiff's objections (ECF No. 45); and grants Defendant's motion to dismiss. (ECF No. 22.)

Accordingly, this matter is dismissed in full. IT IS SO ORDERED. /s/ Bruce Howe Hendricks United States District Judge March 6, 2026 Charleston, South Carolina

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