

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
TEXAS, DALLAS DIVISION

Linda Johnson Iwuala a/k/a Linda Chunn v. Country Wide Financial,
et al.

Iwuala · No. No. 3:25-cv-1404-X-BN · Decided December 10, 2025

SUMMARY

The document is a magistrate judge’s Findings, Conclusions, and Recommendation in a pro se action by Linda Johnson Iwuala, also known as Linda Chunn, against Country Wide Financial and others. The recommendation concludes that the plaintiff’s apparent claims concerning alleged fraud involving her home are facially barred by applicable statutes of limitations and recommends dismissal with prejudice under 28 U.S.C. § 1915(e)(2).

CASE DETAILS

COURT	United States District Court for the Northern District of Texas, Dallas Division
WRITING FOR THE COURT	David L. Horan
JURISDICTION	United States District Court for the Northern District of Texas, Dallas Division
DECIDED	December 10, 2025
DOCKET	No. 3:25-cv-1404-X-BN
DISPOSITION	other
PROCEDURAL POSTURE	Pro se plaintiff filed an in forma pauperis complaint. The district judge referred the action to the magistrate judge for pretrial management and recommendation under 28 U.S.C. § 636(b). The magistrate judge recommended dismissal with prejudice under 28 U.S.C. § 1915(e)(2).
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2)(B)(ii), the court must dismiss an in forma pauperis action that fails to state a claim. The pleading standard tracks Federal Rule of Civil Procedure 12(b)(6), requiring sufficient factual matter to state a facially plausible claim. A limitations defense may support dismissal at the screening stage when the complaint itself affirmatively demonstrates that the claims are time-barred and does not establish a basis for tolling.

PRECEDENTIAL VALUE	Nonprecedential magistrate judge recommendation; adoption status is not stated in the source.
PARTIES	Linda Johnson Iwuala a/k/a Linda Chunn v. Country Wide Financial, et al.

TOPICS

[statute of limitations](#)
[civil procedure](#)
[section 1983](#)
[wrongful foreclosure](#)
[quiet title](#)

PRACTICE AREAS

[civil procedure](#)
[civil rights](#)
[real estate](#)
[remedies](#)

QUESTIONS PRESENTED

1. Whether the in forma pauperis complaint should be dismissed under 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim because the claims are facially barred by applicable statutes of limitations.
2. Whether the complaint alleged facts sufficient to invoke the continuing-violation doctrine.
3. Whether the complaint alleged facts sufficient to support equitable tolling of the limitations periods.

HOLDINGS

1. The complaint should be dismissed with prejudice because, on its face, the asserted federal and Texas-law claims accrued years before the June 2025 filing and are time-barred.
2. A two-year limitations period applies to the § 1983 claims through Texas's general personal-injury limitations period, while a four-year period applies to the asserted Texas-law fraud, wrongful-foreclosure, and voidable-deed quiet-title claims.
3. The claims accrued when Iwuala became aware of her injury or possessed sufficient information to know that she had been injured, rather than when the consequences of the alleged acts later became painful.
4. The complaint did not establish a basis for applying the continuing-violation doctrine to extend the limitations period.
5. The complaint did not plausibly support equitable tolling because it alleged neither an extraordinary circumstance preventing timely filing nor reasonable diligence.

KEY QUOTATIONS

“A complaint is ‘subject to dismissal if its allegations affirmatively demonstrate that the plaintiff’s claims are barred by the statute of limitations and fail to raise some basis for tolling.’” (Discussion)

“The statute of limitations for a suit brought under § 1983 is determined by the general statute of limitations governing personal injuries in the forum state.” (Discussion)

“the proper focus is on the time of the [allegedly wrongful] act, not the point at which the consequences of the act become painful.” (Discussion)

FACTUAL BACKGROUND

Iwuala alleged that defendants obtained her home through fraud, relying on documents dated 2000, 2002, and 2006. She also alleged that she had been terrorized from 1978 through June 4, 2025, but pleaded no facts connecting timely events to an ongoing violation. The complaint appeared to assert possible claims under 42 U.S.C. § 1983 and Texas law for fraud, wrongful foreclosure, and quiet title.

PROCEDURAL HISTORY

Iwuala filed her complaint in June 2025 and was granted leave to proceed in forma pauperis. After reviewing the complaint, the magistrate judge concluded that the asserted federal and Texas-law claims were facially barred by statutes of limitations, that the complaint did not support application of the continuing-violation doctrine or equitable tolling, and recommended dismissal with prejudice. The document directs the parties to file objections within 14 days.

DISPOSITION

other

CASES CITED

- Black v. Warren, 134 F.3d 732, 733–34 (5th Cir. 1998) (per curiam)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Jenkins v. Tahmahkera, 151 F.4th 739, 747 (5th Cir. 2025)
- Frame v. City of Arlington, 657 F.3d 215, 240 (5th Cir. 2011) (en banc)
- Jones v. Bock, 549 U.S. 199, 215 (2007)
- Wilson v. U.S. Penitentiary Leavenworth, 450 F. App'x 397, 399 (5th Cir. 2011) (per curiam)
- Gartrell v. Gaylor, 981 F.2d 254, 256 (5th Cir. 1993)
- Winfrey v. Rogers, 901 F.3d 483, 492 (5th Cir. 2018)
- Bardere v. Hughes, Watters & Askanase, LLP, No. 3:12-cv-5125-M-BK, 2013 WL 12126276, at *1 (N.D. Tex. Mar. 28, 2013)
- Poag v. Flories, 317 S.W.3d 820, 825 (Tex. App.—Fort Worth 2010)
- Martin v. Cadle Co., 133 S.W.3d 897, 905 (Tex. App.—Dallas 2004)
- Johnson v. Harris County, 83 F.4th 941, 945 (5th Cir. 2023)
- Edmonds v. Oktibbeha County, 675 F.3d 911, 916 (5th Cir. 2012)
- Helton v. Clements, 832 F.2d 332, 335 (5th Cir. 1987)
- Williams v. Kroger Tex., L.P., No. 3:16-cv-1631-L, 2016 WL 5870976, at *3 n.1 (N.D. Tex. Oct. 16, 2016)
- Childs v. Haussecker, 974 S.W.2d 31, 36 (Tex. 1998)
- Chardon v. Fernandez, 454 U.S. 6, 8 (1981) (per curiam)

- Etan Indus., Inc. v. Lehmann, 359 S.W.3d 620, 623 (Tex. 2011)
- Hendrix v. City of Yazoo City, Miss., 911 F.2d 1102, 1103 (5th Cir. 1990)
- Williams v. United States, Civ. A. No. 24-00225-BAJ-SDJ, 2025 WL 915041, at *2 (M.D. La. Mar. 26, 2025)
- Menominee Indian Tribe of Wis. v. United States, 577 U.S. 250, 255 (2016)
- Holland v. Florida, 560 U.S. 631, 649, 653 (2010)
- Jackson v. Davis, 933 F.3d 408, 411 (5th Cir. 2019)
- Peterson v. United States, No. 8:18-cv-217-T-17TGW, 2018 WL 1832417, at *2 (M.D. Fla. Feb. 16, 2018)
- Douglass v. United Servs. Auto. Ass'n, 79 F.3d 1415, 1417 (5th Cir. 1996)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/united-states-district-court-for-the-northern-district-of-texas-dallas-division-united-states-distri/2025/linda-johnson-iwuala-a-k-a-linda-chunn-v-country-wide-c4t3htxo>