

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

Elijah Tyrell Taylor v. Experian Information Solutions, Inc.

No. 1:25cv70 · No. No. 1:25cv70 · Decided January 7, 2026

SUMMARY

The court granted Experian Information Solutions, Inc.'s Rule 12(b)(6) motion to dismiss Elijah Tyrell Taylor's amended complaint alleging violations of the Fair Credit Reporting Act and 18 U.S.C. § 1028. The court dismissed the § 1028 claim with prejudice and dismissed the FCRA claims without prejudice because the amended complaint was unclear, internally inconsistent, and failed to identify actionable inaccuracies or other facts supporting liability. Taylor was granted thirty days to file a second amended complaint addressing the identified deficiencies.

CASE DETAILS

COURT	United States District Court for the Middle District of Pennsylvania
WRITING FOR THE COURT	Julia K. Munley
JURISDICTION	United States District Court for the Middle District of Pennsylvania
DECIDED	January 7, 2026
DOCKET	No. 1:25cv70
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff filed a pro se amended complaint alleging violations of the Fair Credit Reporting Act and 18 U.S.C. § 1028. Defendant moved to dismiss under Federal Rule of Civil Procedure 12(b)(6).
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true and determines whether the complaint contains sufficient factual matter to state a claim that is plausible on its face. The pleading must also provide fair notice of the claims and the grounds on which they rest.
PRECEDENTIAL VALUE	unpublished
PARTIES	Elijah Tyrell Taylor v. Experian Information Solutions, Inc.

TOPICS

- credit reporting
- motions to dismiss
- pleadings
- consumer protection
- civil procedure

PRACTICE AREAS

Fair Credit Reporting Act

consumer protection

federal civil procedure

pleading practice

QUESTIONS PRESENTED

1. Whether Taylor's amended complaint stated a plausible claim under the Fair Credit Reporting Act.
2. Whether 18 U.S.C. § 1028 provides a private right of action.
3. Whether Taylor should be granted leave to amend his FCRA claims.

HOLDINGS

1. The amended complaint failed to state a claim under the Fair Credit Reporting Act because it did not identify a coherent theory of liability or adequately allege specific inaccuracies in Taylor's consumer reports.
2. Section 1028 does not provide a private right of action to a litigant such as Taylor.
3. Taylor was granted thirty days to file a second amended complaint limited to his FCRA claims and addressing the pleading deficiencies identified by the court.

KEY QUOTATIONS

"To survive a motion to dismiss, the complaint must also contain sufficient factual matter, accepted as true, to 'state a claim to relief that is plausible on its face.'"

"Threadbare recitals of the elements of a cause of action, supported by mere conclusory statements, do not suffice."

FACTUAL BACKGROUND

Taylor alleged that Discover Financial Services denied him a secured credit card and that he later obtained an unsecured credit card from Credit One Bank. He appeared to allege that Discover or Experian sold his consumer report to Credit One and that Experian inaccurately reported nine Discover-related entries on his credit report. The complaint and attached exhibits appeared internally inconsistent because the exhibits showed hard inquiries from Discover, which the court found could be consistent with Taylor's applications for credit cards from Discover and Credit One.

PROCEDURAL HISTORY

Taylor filed an amended complaint against Experian. Experian moved to dismiss with prejudice. The court granted the motion, dismissed the FCRA claims without prejudice and the § 1028 claim with prejudice, and granted Taylor thirty days to file a second amended complaint addressing only the FCRA deficiencies.

DISPOSITION

dismissed

CASES CITED

- Binsack v. Lackawanna Cnty. Prison, 438 F. App'x 158, 160 (3d Cir. 2011)
- Glover v. F.D.I.C., 698 F.3d 139, 147 (3d Cir. 2012)
- Garrett v. Wexford Health, 938 F.3d 69, 92 (3d Cir. 2019)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Obianyo v. Tennessee, 518 F. App'x 71, 72 (3d Cir. 2013)
- Gonzaga Univ. v. Doe, 536 U.S. 273, 283-84 (2002)

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