

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Luis Enrique Ramos Perez v. Evolet's Painting Service LLC, et al.

Perez · No. CV-25-01886-PHX-ASB · Decided January 20, 2026

SUMMARY

The United States District Court for the District of Arizona adopts a Magistrate Judge’s Report and Recommendation recommending default judgment in favor of Luis Enrique Ramos Perez. The Court awards Perez \$529.20 in trebled wage damages against the defendants, jointly and severally, with post-judgment interest. The Court also directs Perez to file a motion for attorney fees and costs and orders the Clerk to terminate the action.

CASE DETAILS

COURT	United States District Court for the District of Arizona
WRITING FOR THE COURT	Stephen M. McNamee
JURISDICTION	United States District Court for the District of Arizona
DECIDED	January 20, 2026
DOCKET	CV-25-01886-PHX-ASB
DISPOSITION	other
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Report and Recommendation recommending entry of default judgment and an award of unpaid and overtime wages. No party filed objections.
STANDARD OF REVIEW	Under 28 U.S.C. § 636(b)(1)(C), the district court may accept, reject, or modify a magistrate judge's findings or recommendations. Parties have fourteen days to file specific written objections; absent objections, de novo review of factual findings is not required and objections to those findings are waived on appeal.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- default judgment
- default
- wage and hour
- flsa
- civil procedure

PRACTICE AREAS

- civil procedure
- employment law
- wage and hour
- fair labor standards

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's Report and Recommendation when no party filed objections.
2. Whether plaintiff was entitled to default judgment and a \$529.20 damages award against all defendants.

HOLDINGS

1. The district court adopted the magistrate judge's Report and Recommendation because no party filed objections.
2. Plaintiff was entitled to default judgment against all defendants and a judgment of \$529.20, with defendants jointly and severally liable, plus post-judgment interest.

KEY QUOTATIONS

“The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate.”” (at 2)

FACTUAL BACKGROUND

Plaintiff Luis Enrique Ramos Perez sought unpaid and overtime wages from Evolet's Painting Service LLC and the other defendants. The magistrate judge recommended entry of default judgment and an award of damages against all defendants. The district court adopted the recommendation and entered a trebled statutory damages award of \$529.20 under the Arizona Minimum Wage Act, which the court stated encompassed plaintiff's wage damages under the Fair Labor Standards Act.

PROCEDURAL HISTORY

Plaintiff moved for default judgment in this Fair Labor Standards Act and Arizona Minimum Wage Act wage case. Magistrate Judge Alison S. Bachus issued a Report and Recommendation on December 15, 2025, recommending that the motion be granted and damages awarded against all defendants. Because the parties had not all consented to magistrate-judge jurisdiction, the matter was reviewed by the district court under 28 U.S.C. § 636(b)(1)(C) and General Order 21-25. The district court adopted the recommendation, granted default judgment, entered a \$529.20 joint-and-several judgment, allowed plaintiff to seek attorney fees and costs, and terminated the action.

DISPOSITION

other

CASES CITED

- Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)
- Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998)

