

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
TEXAS, SAN ANTONIO DIVISION

**Tabitha J. Robinson v. Narasa Enterprise, Inc. d/b/a Blossom Food
Mart, Mohammad H. Zghoul, and Sandra Martinez**

Robinson · No. 5:25-CV-00134-DAE · Decided December 15, 2025

SUMMARY

The United States District Court for the Western District of Texas adopted a magistrate judge’s Report and Recommendation and granted Tabitha J. Robinson’s motion for default judgment under the Fair Labor Standards Act. The court awarded \$11,138 in actual damages, \$11,138 in liquidated damages, \$3,200 in attorney’s fees, court costs to be determined, and post-judgment interest, with defendants jointly and severally liable. The Clerk was directed to enter judgment and close the case.

CASE DETAILS

COURT	United States District Court for the Western District of Texas, San Antonio Division
JURISDICTION	United States District Court for the Western District of Texas, San Antonio Division
DECIDED	December 15, 2025
DOCKET	5:25-CV-00134-DAE
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for default judgment after the defendants were served, failed to answer or appear, and the Clerk entered default. The court reviewed and adopted a magistrate judge's Report and Recommendation and granted default judgment.
STANDARD OF REVIEW	When neither party objects to a magistrate judge's findings and recommendation, the district court reviews the recommendation for clear error.
PRECEDENTIAL VALUE	unknown

TOPICS

- default judgment
- default
- flsa
- wage and hour
- attorney fees

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the district court should review and adopt the magistrate judge's Report and Recommendation where no objections were filed.
2. Whether Robinson was entitled to default judgment because the defendants failed to appear or respond and the complaint stated a claim for FLSA overtime violations.
3. Whether the damages, liquidated damages, attorney's fees, costs, and post-judgment interest recommended by the magistrate judge should be awarded against the defendants jointly and severally.

HOLDINGS

1. When neither party objects to a magistrate judge's findings, the district court reviews the Report and Recommendation for clear error.
2. Default judgment was warranted because the defendants failed to appear or otherwise respond and Robinson stated a claim upon which relief could be granted.
3. Robinson was entitled to \$11,138 in actual damages, \$11,138 in liquidated damages, \$3,200 in attorney's fees, court fees to be determined under Local Rule CV-54, and post-judgment interest under 28 U.S.C. § 1961, with the defendants jointly and severally liable.

KEY QUOTATIONS

“Accordingly, for the reasons given, the Court ADOPTS the Magistrate Judge’s Report and Recommendation (Dkt. # 12) as the opinion of the Court, and GRANTS Plaintiff’s Motion for Default Judgment (Dkt. # 11).”
(Conclusion)

FACTUAL BACKGROUND

Robinson worked as a cashier at Blossom Food Mart from June 2023, earning \$11 per hour and later \$12 per hour. She regularly worked more than 40 hours per week, sometimes approximately 12 hours per shift over six or seven days, but alleged that the defendants did not pay the required overtime premium. The defendants allegedly misclassified her as an independent contractor and paid her in cash, although they controlled her schedule, duties, and working conditions. She alleged that the defendants were covered employers under the FLSA and that she was an individually covered, nonexempt employee.

PROCEDURAL HISTORY

Robinson filed an action alleging violations of the Fair Labor Standards Act's overtime provisions. Defendant Martinez was personally served, and Narasa Enterprise and Zghoul were later served by substituted service; none of the defendants answered or appeared. The Clerk entered default against all defendants, and Magistrate Judge Richard Farrer recommended granting Robinson's motion for default judgment. No objections were filed, and the district court adopted the recommendation, entered judgment, and ordered the case closed.

DISPOSITION

other

CASES CITED

- United States v. Wilson, 864 F.2d 1219, 1221 (5th Cir. 1989)

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