

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Rebecca Flores v. Missouri Higher Education Loan Authority
(MOHELA)

Flores · No. 1:25-cv-00940-SKO · Decided September 29, 2025

SUMMARY

The United States District Court for the Eastern District of California found that Rebecca Flores’s Second Amended Complaint states cognizable claims under the Fair Credit Reporting Act and Fair Debt Collection Practices Act against the Missouri Higher Education Loan Authority. The court authorized service, directed the Clerk to provide service documents, and ordered Plaintiff to complete and return the required materials within thirty days.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sheila K. Oberto
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	September 29, 2025
DOCKET	1:25-cv-00940-SKO
DISPOSITION	other
PROCEDURAL POSTURE	The court screened plaintiff's Second Amended Complaint under 28 U.S.C. § 1915 and entered an order finding that service of process was appropriate on MOHELA.
STANDARD OF REVIEW	Screening under 28 U.S.C. § 1915; the court evaluated whether the Second Amended Complaint stated cognizable claims, with reference to Federal Rule of Civil Procedure 8(a).
PRECEDENTIAL VALUE	unpublished, nonprecedential district court order

TOPICS

- service of process
- pleadings
- fair debt collection
- credit reporting
- civil procedure

PRACTICE AREAS

- civil procedure
- consumer protection
- fair debt collection
- credit reporting

QUESTIONS PRESENTED

1. Whether the Second Amended Complaint states cognizable claims sufficient to permit service under the court's screening obligation for an in forma pauperis action.
2. Whether service of process should be initiated through the United States Marshal without requiring plaintiff to pay costs or attempt service herself.

HOLDINGS

1. The Second Amended Complaint states cognizable claims against Missouri Higher Education Loan Authority and may proceed to service.
2. Service is appropriate on MOHELA, and upon plaintiff's submission of the required documents, the United States Marshal shall be directed to serve the defendant without payment of costs.

FACTUAL BACKGROUND

Plaintiff Rebecca Flores brought claims against Missouri Higher Education Loan Authority under the Fair Credit Reporting Act and Fair Debt Collection Practices Act. She proceeded pro se and in forma pauperis. The court reviewed her Second Amended Complaint and determined that it stated cognizable claims against MOHELA.

PROCEDURAL HISTORY

Rebecca Flores, proceeding pro se and in forma pauperis, filed a civil action asserting claims under the Fair Credit Reporting Act and Fair Debt Collection Practices Act. After screening the Second Amended Complaint, the court found cognizable claims against MOHELA and directed the Clerk to provide service documents for plaintiff's completion and return within thirty days. The United States Marshal will serve MOHELA without payment of costs after the required documents are submitted.

DISPOSITION

other

CASES CITED

- Urbina v. Nat'l Bus. Factors Inc., 979 F.3d 758 (9th Cir. 2020)
- Gorman v. Wolpoff & Abramson, LLP, 584 F.3d 1147 (9th Cir. 2009)
- Clark v. Cap. Credit & Collection Servs., Inc., 460 F.3d 1162 (9th Cir. 2006)
- Walker v. Higher Educ. Loan Auth. of the State of Missouri, No. 1:21-CV-00879-KES-SAB, 2024 WL 3568576, at *1 (E.D. Cal. July 26, 2024)
- Berrow v. Navient Sols. LLC, 685 F. Supp. 3d 859 (D. Ariz. 2023)
- Robinson v. Managed Accounts Receivables Corp., 654 F. Supp. 2d 1051 (C.D. Cal. 2009)