UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF ARKANSAS, FAYETTEVILLE DIVISION

Christina Leas Dunn v. Nelnet

Dunn v. Nelnet · No. 5:25-CV-5107 · Decided April 30, 2026

SUMMARY

The United States District Court for the Western District of Arkansas denied Christina Leas Dunn's motion under Federal Rule of Civil Procedure 59(e) to alter or amend the judgment and to obtain leave to amend her complaint. The court held that the complaint did not plead a Fair Credit Reporting Act claim against Nelnet or provide facts supporting such a claim, and that the proposed claims relied on a previously rejected theory concerning the effect of Dunn's bankruptcy case on her student loan debt.

CASE DETAILS

COURT	United States District Court for the Western District of Arkansas, Fayetteville Division
WRITING FOR THE COURT	Timothy L. Brooks
JURISDICTION	United States District Court for the Western District of Arkansas, Fayetteville Division
DECIDED	April 30, 2026
DOCKET	5:25-CV-5107
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved under Federal Rule of Civil Procedure 59(e) to alter or amend the judgment dismissing her action without prejudice for failure to state a claim and sought leave to amend under Rule 15(a)(2).
STANDARD OF REVIEW	A Rule 59(e) motion is evaluated under the stringent standard applicable to correcting manifest errors of law or fact or presenting newly discovered evidence. Postjudgment motions for leave to amend are evaluated consistently with the stringent standards governing Rule 59(e) and Rule 60(b) relief.
PRECEDENTIAL VALUE	unknown

TOPICS

motion for reconsideration · motion to amend · credit reporting · pleadings · civil procedure

PRACTICE AREAS

civil procedure | consumer protection | fair credit reporting | bankruptcy

QUESTIONS PRESENTED

1. Whether the court committed manifest error under Federal Rule of Civil Procedure 59(e) by failing to address FCRA claims against Nelnet.
2. Whether Dunn should receive postjudgment leave to amend under Federal Rule of Civil Procedure 15(a)(2) to assert purported FCRA claims against Nelnet.

HOLDINGS

1. The court did not commit manifest error because Dunn's complaint did not plead an FCRA claim against Nelnet or provide fair notice that Nelnet was accused of violating the FCRA.
2. Postjudgment leave to amend was properly denied because Dunn did not satisfy the stringent Rule 59(e) standard and the proposed amendment asserted new, meritless claims based on a previously rejected theory.

KEY QUOTATIONS

> *"The Court did not manifestly err in failing to expressly address claims which were not pled, and Ms. Dunn is not entitled to amend her complaint after judgment to assert "new" but equally meritless claims."*

FACTUAL BACKGROUND

Dunn's complaint included an FCRA count identifying TransUnion, Experian, Equifax, and LexisNexis as the defendants that allegedly failed to comply with the FCRA. Although the complaint cited 15 U.S.C. § 1681s-2(b), it did not allege that Nelnet violated the FCRA or plead facts supporting such a violation. Dunn's proposed amended claims concerned the reporting of Nelnet tradelines associated with student-loan debt, and the court concluded that those claims depended on Dunn's previously rejected belief that her voluntarily dismissed 2013 bankruptcy case voided her student loans.

PROCEDURAL HISTORY

The court previously granted Nelnet's motion to dismiss and entered judgment dismissing the action without prejudice. Dunn argued that the court committed manifest error by failing to address purported Fair Credit Reporting Act claims against Nelnet and sought leave to file an amended complaint. The court denied the postjudgment motion, concluding that the complaint did not plead an FCRA claim against Nelnet and that the proposed claims rested on a previously rejected theory concerning her student-loan debt.

DISPOSITION

other

CASES CITED

- Tukaye v. Troup, 157 F.4th 958, 962 (8th Cir. 2025)
- Nordgren v. Hennepin Cnty., 96 F.4th 1072, 1077 (8th Cir. 2024)
- Banister v. Davis, 590 U.S. 504, 508 (2020)
- Par v. Wolfe Clinic, P.C., 70 F.4th 441, 449 (8th Cir. 2023)
- In re SuperValu, Inc., 925 F.3d 955, 961 (8th Cir. 2019)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555 (2007)
- Stone v. Harry, 364 F.3d 912 (8th Cir. 2004)
- Dunn v. White, 880 F.2d 1188, 1197 (10th Cir. 1989)

INSTRUCTIONS FOR AN AI ASSISTANT