

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
OHIO, EASTERN DIVISION

Danielle LaTriece Tucker v. Cash App

Tucker · No. 2:25-cv-1176 · Decided January 16, 2026

SUMMARY

The United States District Court for the Southern District of Ohio overruled Plaintiff Danielle LaTriece Tucker’s objection to a magistrate judge’s report and recommendation and adopted the recommendation to dismiss her complaint against Cash App. The court held that the complaint and objection failed to provide fair notice of the factual and legal grounds for her claims, establish a legal basis for jurisdiction, or state a claim under 28 U.S.C. § 1915(e)(2). The court directed the Clerk to enter judgment and close the case.

CASE DETAILS

COURT	United States District Court for the Southern District of Ohio, Eastern Division
WRITING FOR THE COURT	Edmund A. Sargus, Jr.
JURISDICTION	United States District Court for the Southern District of Ohio, Eastern Division
DECIDED	January 16, 2026
DOCKET	2:25-cv-1176
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's order and report and recommendation recommending dismissal of a pro se complaint under 28 U.S.C. § 1915(e)(2). The plaintiff filed a timely objection and additional letters.
STANDARD OF REVIEW	De novo review of the portions of the magistrate judge's report and recommendation to which objection was made under 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b). The court applied the Rule 12(b)(6) pleading standard to screening under 28 U.S.C. § 1915(e)(2).
PRECEDENTIAL VALUE	Unknown; district court opinion with no reporter citation and metadata indicating unknown precedential status.

TOPICS

pleadings

motions to dismiss

subject matter jurisdiction

civil procedure

consumer protection

PRACTICE AREAS

Federal civil procedure

Pleading sufficiency

In forma pauperis screening

Consumer financial services

QUESTIONS PRESENTED

1. Whether the complaint satisfied Federal Rule of Civil Procedure 8(a) by providing fair notice of the claims and the factual and legal grounds supporting them.
2. Whether the complaint stated a claim upon which relief could be granted under 28 U.S.C. § 1915(e)(2), including whether the statutes referenced by plaintiff supplied a legally cognizable basis for relief.
3. Whether the plaintiff adequately alleged a basis for federal subject matter jurisdiction.

HOLDINGS

1. The complaint failed to satisfy Rule 8(a)(2) because it did not identify the claims, explain how Cash App's conduct gave rise to those claims, or provide sufficient factual and legal grounds to give the defendant fair notice.
2. Dismissal was proper because, even when liberally construed, the complaint failed to state a claim upon which relief could be granted.
3. The complaint did not adequately establish federal subject matter jurisdiction because it did not identify a federal legal basis for the action or allege the amount in controversy required for diversity jurisdiction.

KEY QUOTATIONS

“Merely listing federal statutes as a basis for jurisdiction or a cause of action does not meet the federal pleading standard.” (Analysis)

“Plaintiff’s Objection and Complaint, even liberally construed, offer only conclusory factual and legal statements, which, as the Magistrate Judge explained, are insufficient to state a claim upon which relief may be granted.” (Analysis)

“the court shall dismiss the case at any time if the court determines that . . . the action or appeal – (i) is frivolous or malicious; (ii) fails to state a claim on which relief may be granted; or (iii) seeks monetary relief against a defendant who is immune from such relief.” (Legal Standard)

FACTUAL BACKGROUND

Plaintiff, proceeding pro se, alleged that she experienced difficulties with a Cash App account, including repeated identity-verification requests, inability to open or log into an account, and closure of one account. She appeared to allege identity theft, fraudulent activity, fraud, or money laundering, but did not clearly identify the claims, the conduct supporting them, or the relief sought. In her objection, she listed several federal statutes and requested \$20 million in settlement damages.

PROCEDURAL HISTORY

Plaintiff sued Cash App based on alleged identity-verification problems, inability to access or open an account, account closure, identity theft, and fraudulent activity. The magistrate judge recommended dismissal because the complaint failed to provide fair notice of the claims and factual grounds, appeared to rely on criminal statutes without a private right of action, and did not establish federal jurisdiction. The district court conducted de novo review of the objected-to portions, overruled the objection, adopted and affirmed the recommendation, and dismissed the complaint.

DISPOSITION

dismissed

CASES CITED

- Neitzke v. Williams, 490 U.S. 319, 324 (1989)
- Adkins v. E.I. DuPont de Nemours & Co., 335 U.S. 331, 342–43 (1948)
- Hill v. Lappin, 630 F.3d 468, 470–71 (6th Cir. 2010)
- 16630 Southfield Ltd. P’ship v. Flagstar Bank, F.S.B., 727 F.3d 502, 503 (6th Cir. 2013)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555 (2007)
- Conley v. Gibson, 355 U.S. 41, 47 (1957)
- Phillips v. U.S. Fed. Gov’t, No. 1:23 CV 1799, 2024 WL 69192, at *2 (N.D. Ohio Jan. 5, 2024)
- Fernanders v. Mich. Dep’t of Mil. & Veterans Affs., No. 12-11752, 2012 WL 3262861, at *3 (E.D. Mich. Aug. 9, 2012)