UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE, NASHVILLE DIVISION

Jerry Lynn Recker v. Experian Information Solutions, Inc., et al.

Recker · No. 3:25-cv-01503 · Decided May 6, 2026

SUMMARY

The court grants Jerry Lynn Recker's application to proceed in forma pauperis and conducts the required initial review under 28 U.S.C. § 1915(e)(2). The court concludes that the pro se complaint states colorable claims under the Fair Credit Reporting Act against Experian, Equifax, and TransUnion, including claims concerning inaccurate reporting, inadequate reinvestigation, and deficient descriptions of verification procedures. The action will proceed, with the Clerk directed to issue service packets and the case referred to a magistrate judge for further proceedings.

CASE DETAILS

COURT	United States District Court for the Middle District of Tennessee, Nashville Division
WRITING FOR THE COURT	Aleta A. Trauger
JURISDICTION	United States District Court for the Middle District of Tennessee, Nashville Division
DECIDED	May 6, 2026
DOCKET	3:25-cv-01503
DISPOSITION	other
PROCEDURAL POSTURE	Pro se plaintiff sought leave to proceed in forma pauperis and asserted Fair Credit Reporting Act claims against three consumer reporting agencies. The district court granted in forma pauperis status, conducted the required preliminary screening under 28 U.S.C. § 1915(e)(2), found the complaint stated colorable claims, and allowed the action to proceed.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2)(B), the court must dismiss an in forma pauperis complaint if it is frivolous, malicious, fails to state a claim, or seeks monetary relief from an immune defendant. The failure-to-state-a-claim inquiry applies the Rule 12(b)(6) plausibility standard, assumes the truth of well-pleaded factual allegations and reasonable inferences, disregards legal conclusions and unwarranted factual inferences, and construes a pro se pleading liberally.

PRECEDENTIAL VALUE	Unknown; district court memorandum and order allowing claims to proceed after in forma pauperis screening.
PARTIES	Jerry Lynn Recker v. Experian Information Solutions, Inc., Equifax Information Services LLC, TransUnion LLC

TOPICS

credit reporting · consumer protection · pleadings · motions to dismiss · service of process

PRACTICE AREAS

consumer protection · credit reporting · civil procedure

QUESTIONS PRESENTED

1. Whether Recker qualified to proceed in forma pauperis under 28 U.S.C. § 1915(a).
2. Whether the complaint stated plausible, nonfrivolous claims under the Fair Credit Reporting Act sufficient to survive initial screening under 28 U.S.C. § 1915(e)(2)(B).
3. Whether the Clerk should issue service packets and the case should proceed to service and further pretrial proceedings.

HOLDINGS

1. The plaintiff demonstrated that he could not pay the $405 civil filing fee without undue hardship, so the application to proceed in forma pauperis was granted.
2. The complaint stated colorable, nonfrivolous claims under the FCRA, and the claims were allowed to proceed for further development.

KEY QUOTATIONS

> *"At this early stage, the court finds that the Complaint states colorable FCRA claims against the defendants, which will be allowed to proceed for further development."* (II. INITIAL REVIEW)

> *"To avoid dismissal for failure to state a claim, the Complaint must contain sufficient factual allegations to render a right to relief "plausible on its face,""* (II. INITIAL REVIEW)

FACTUAL BACKGROUND

Recker alleged that the defendant credit reporting agencies maintained consumer credit files containing inaccurate, incomplete, inconsistent, or unverifiable information concerning several accounts. He alleged that, after he disputed the information, the defendants continued reporting disputed information, failed to conduct reasonable reinvestigations, characterized his dispute as frivolous without adequate explanation, and failed to provide adequate descriptions of their verification procedures. He claimed resulting harm to his credit score, loss of credit opportunities, and costs incurred in correcting his records, and sought compensatory and punitive damages along with declaratory and injunctive relief.

PROCEDURAL HISTORY

Recker filed a complaint alleging that Experian, Equifax, and TransUnion reported inaccurate or unverifiable credit information, failed to conduct reasonable reinvestigations, and failed to provide adequate descriptions of their verification procedures. He also filed an application to proceed in forma pauperis. The court granted the application, determined during initial review that the complaint was nonfrivolous and stated plausible FCRA claims, directed the Clerk to issue service packets, and referred the action to a magistrate judge for service and further pretrial proceedings.

DISPOSITION

other

CASES CITED

- Foster v. Cuyahoga Department of Health and Human Services, 21 F. App'x 239, 240 (6th Cir. 2001)
- Ongori v. Hawkins, No. 16-2781, 2017 WL 6759020, at *1 (6th Cir. Nov. 15, 2017)
- Small v. Brock, 963 F.3d 539, 540 (6th Cir. 2020)
- Ashcroft v. Iqbal, 556 U.S. 662, 678-79 (2009)
- Hill v. Lappin, 630 F.3d 468, 470-71 (6th Cir. 2010)
- National Rifle Association of America v. Vullo, 144 S. Ct. 1316, 2024 WL 2751216, at *3 (2024)
- Inner City Contracting, LLC v. Charter Township of Northville, Michigan, 87 F.4th 743, 749 (6th Cir. 2023)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Twumasi-Ankrah v. Checkr, Inc., 954 F.3d 938, 941-42 (6th Cir. 2020)