

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
TEXAS, SHERMAN DIVISION

Reed Timmer v. Triumph Roofing and Construction LLC, et al.

Timmer · No. 4:24-CV-635-SDJ · Decided March 30, 2026

SUMMARY

The United States District Court for the Eastern District of Texas partially adopts and modifies a magistrate judge’s report and recommendation concerning Reed Timmer’s motion for default judgment against Roddy Doddy Agency. The court concludes that the defendant’s failure to appear substantially prejudiced Timmer and orders Roddy Doddy Agency to pay \$1,500 in statutory damages plus post-judgment interest at 3.70%.

CASE DETAILS

|                    |                                                                                                                                                                                                                                                                                                                                                          |
|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT              | United States District Court for the Eastern District of Texas, Sherman Division                                                                                                                                                                                                                                                                         |
| JURISDICTION       | United States District Court for the Eastern District of Texas, Sherman Division                                                                                                                                                                                                                                                                         |
| DECIDED            | March 30, 2026                                                                                                                                                                                                                                                                                                                                           |
| DOCKET             | 4:24-CV-635-SDJ                                                                                                                                                                                                                                                                                                                                          |
| DISPOSITION        | other                                                                                                                                                                                                                                                                                                                                                    |
| PROCEDURAL POSTURE | The district court reviewed a magistrate judge's report and recommendation on Plaintiff Reed Timmer's motion for entry of final judgment by default against Roddy Doddy Agency. No party filed objections. The district court adopted the report in part, modified its analysis of substantial prejudice, and granted the motion in part.                |
| STANDARD OF REVIEW | The district court independently considered the magistrate judge's report and recommendation because no objections were filed, adopted the report's findings and conclusions except for the modified substantial-prejudice analysis, and applied the Fifth Circuit's six-factor test for determining whether default judgment is procedurally warranted. |
| PRECEDENTIAL VALUE | Unknown                                                                                                                                                                                                                                                                                                                                                  |

TOPICS

default judgment

default

civil procedure

damages

## PRACTICE AREAS

Civil procedure

Copyright

## QUESTIONS PRESENTED

1. Whether the substantial-prejudice factor in the Fifth Circuit's default-judgment analysis requires courts to assess prejudice experienced by the plaintiff rather than potential prejudice to the defendant.
2. Whether, after applying the six Lindsey factors and modifying the prejudice analysis, Timmer's motion for final default judgment should be granted in part.

## HOLDINGS

1. When analyzing the second Lindsey factor, courts must examine the substantial prejudice experienced by the plaintiff, not whether entry of default judgment may prejudice the defendant.
2. Timmer's motion for entry of final judgment by default was properly granted in part, with Roddy Doddy Agency ordered to pay \$1,500 in statutory damages plus post-judgment interest at 3.70% from the date judgment was entered.

## KEY QUOTATIONS

*"Therefore, when conducting the analysis for the second of the six Lindsey factors, courts should analyze the prejudice that has been experienced by the plaintiff."* (at 1)

*"It is therefore ORDERED that Plaintiff Reed Timmer's Motion for Entry of Final Judgment by Default Against Defendant Roddy Doddy Agency, and Incorporated Memorandum of Law, (Dkt. #34), is GRANTED in part."* (at 3)

## FACTUAL BACKGROUND

Defendant Roddy Doddy Agency failed to appear and failed to answer Timmer's complaint. The failure to respond halted the adversarial process and caused substantial prejudice to Timmer. The court determined that default judgment was warranted and awarded statutory damages of \$1,500 plus post-judgment interest.

## PROCEDURAL HISTORY

The matter was referred to a United States magistrate judge under 28 U.S.C. § 636 and Local Rule CV-72. The magistrate judge recommended granting in part Timmer's motion for final default judgment and awarding \$1,500 in statutory damages plus post-judgment interest. The district court modified the prejudice analysis, adopted the remaining findings and conclusions, and ordered Roddy Doddy Agency to pay the recommended damages and interest.

## DISPOSITION

other

#### CASES CITED

- Lindsey v. Prive Corp., 161 F.3d 886, 893 (5th Cir. 1998)
- Wearable Shoe Tree, LLC v. Does 1-601, No. 4:24-CV-334-SDJ, 2025 WL 872524, at \*3 (E.D. Tex. Mar. 20, 2025)
- Securities & Exchange Commission v. Moss, No. 4:20-CV-972-SDJ, 2022 WL 757226, at \*3 (E.D. Tex. Mar. 11, 2022)
- Back-Up Systems Maintenance, LLC v. Suarez, No. 4:21-CV-521-SDJ, 2022 WL 2119115, at \*4 (E.D. Tex. June 13, 2022)
- Viridity Energy Solutions, Inc. v. Lone Star Demand Response, LLC, No. 4:21-CV-419-SDJ, 2022 WL 4004785, at \*3 (E.D. Tex. July 12, 2022)
- TenPearls, LLC v. Medulla International, LLC, No. 4:22-CV-550-SDJ, 2023 WL 3292883, at \*3 (E.D. Tex. May 5, 2023)
- BEPS Services, LLC v. Blue Escape Pools, LLC, No. 4:23-CV-975-SDJ, 2025 WL 2713722, at \*2 (E.D. Tex. Sept. 23, 2025)
- Insurance Co. of the West v. H&G Contractor's, Inc., No. CIV.A. C-10-390, 2011 WL 4738197, at \*3 (S.D. Tex. Oct. 5, 2011)