

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

Veronica Banks v. Equifax Information Services, LLC

Banks v. Equifax · No. 5:25-CV-00111-JRG-JBB · Decided March 5, 2026

SUMMARY

The United States District Court for the Eastern District of Texas adopts the magistrate judge’s Report and Recommendation in Veronica Banks v. Equifax Information Services, LLC. The court denies Equifax’s motion to dismiss and notes that no objections were filed.

CASE DETAILS

COURT	United States District Court for the Eastern District of Texas, Texarkana Division
WRITING FOR THE COURT	Rodney Gilstrap
JURISDICTION	United States District Court for the Eastern District of Texas, Texarkana Division
DECIDED	March 5, 2026
DOCKET	5:25-CV-00111-JRG-JBB
DISPOSITION	other
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's report and recommendation recommending denial of Equifax's motion to dismiss. No objections were filed, and the district court adopted the recommendation and denied the motion.
STANDARD OF REVIEW	In the absence of objections to a magistrate judge's report and recommendation, the district court reviews for clear error, abuse of discretion, and whether the recommendation is contrary to law; unobjected-to factual findings and legal conclusions are not subject to de novo review.
PRECEDENTIAL VALUE	Nonprecedential unpublished district court order
PARTIES	Veronica Banks v. Equifax Information Services, LLC

TOPICS

- motions to dismiss
- pleadings
- credit reporting
- civil procedure

PRACTICE AREAS

civil procedure

consumer protection

credit reporting

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's report and recommendation when no party filed objections.
2. Whether Equifax Information Services, LLC's motion to dismiss Banks's complaint should be denied.

HOLDINGS

1. When no objections are filed, the district court reviews the magistrate judge's report and recommendation under a clearly erroneous, abuse-of-discretion, and contrary-to-law standard rather than conducting de novo review.
2. Equifax Information Services, LLC's motion to dismiss Banks's complaint is denied.

KEY QUOTATIONS

"Accordingly, it is ORDERED that Defendant Equifax Information Services, LLC's Motion to Dismiss Plaintiff's Complaint (Docket No. 7) is DENIED." (Order)

FACTUAL BACKGROUND

The underlying action concerns claims brought by Veronica Banks against Equifax Information Services, LLC. Equifax moved to dismiss Banks's complaint. The opinion does not recite substantive facts because it resolves only the adoption of the magistrate judge's recommendation and the motion to dismiss.

PROCEDURAL HISTORY

The action was referred to United States Magistrate Judge J. Boone Baxter under 28 U.S.C. § 636. The magistrate judge issued a February 9, 2026 Report and Recommendation recommending denial of Equifax's motion to dismiss Banks's complaint. Because no objections were filed, the district court reviewed the recommendation for clear error, abuse of discretion, and whether it was contrary to law, determined it was correct, adopted it, and denied the motion.

DISPOSITION

other

CASES CITED

- Duarte v. City of Lewisville, 858 F.3d 348, 352 (5th Cir. 2017)
- Arriaga v. Laxminarayan, Case No. 4:21-CV-00203-RAS, 2021 WL 3287683, at *1 (E.D. Tex. July 31, 2021)
- United States v. Wilson, 864 F.2d 1219, 1221 (5th Cir. 1989)

OPINION

IN THE UNITED STATES DISTRICT COURT OF THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION VERONICA BANKS § § v. § No. 5:25-CV-00111-JRG-JBB §
EQUIFAX INFORMATION SERVICES § LLC § ORDER ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE The above-entitled
and numbered civil action was heretofore referred to United States Magistrate Judge J. Boone
Baxter pursuant to 28 U.S.C. § 636.

The February 9, 2026 Report and Recommendation of the Magistrate Judge (Docket No. 23)
which contains his proposed findings of fact and recommendations for the disposition of
Defendant Equifax Information Services, LLC's Motion to Dismiss Plaintiff's Complaint (Docket
No. 7) has been presented for consideration.

The Magistrate Judge recommends the motion be denied. No objections to the Report and
Recommendation were filed. Since no objections have been filed, any aggrieved party is barred
from de novo review by the District Court of the Magistrate Judge's findings, conclusions, and
recommendations; and, except upon grounds of plain error, from appellate review of the
unobjected-to factual findings and legal conclusions accepted and adopted by the District Court.

See *Duarte v. City of Lewisville*, 858 F.3d 348, 352 (5th Cir. 2017); *Arriaga v. Laxminarayan*,
Case No. 4:21-CV-00203-RAS, 2021 WL 3287683, at *1 (E.D. Tex. July 31, 2021). The Court has
reviewed the pleadings in this case and the Report and Recommendation of the Magistrate Judge.
Upon such review, the Court has determined the Report of the Magistrate Judge is correct.

See *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), cert. denied, 492 U.S. 1 918 (1989)
(where no objections to a Magistrate Judge's report are filed, the standard of review is "clearly
erroneous, abuse of discretion and contrary to law").

Accordingly, it is ORDERED that Defendant Equifax Information Services, LLC's Motion to
Dismiss Plaintiff's Complaint (Docket No. 7) is DENIED. So ORDERED and SIGNED this 4th
day of March, 2026. RODNEY GILSTRAP \ UNITED STATES DISTRICT JUDGE