

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

Danielle LaTriece Tucker v. PayPal

Tucker v. PayPal · No. 2:25-cv-1177 · Decided January 22, 2026

SUMMARY

The United States District Court for the Southern District of Ohio overruled Danielle LaTriece Tucker’s objection to a magistrate judge’s recommendation and adopted the recommendation in full. The court dismissed her pro se complaint against PayPal under 28 U.S.C. § 1915(e)(2) for failure to state a claim and failure to establish subject-matter jurisdiction.

CASE DETAILS

COURT	United States District Court for the Southern District of Ohio, Eastern Division
WRITING FOR THE COURT	James L. Graham
JURISDICTION	United States District Court for the Southern District of Ohio
DECIDED	January 22, 2026
DOCKET	2:25-cv-1177
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff objected to a magistrate judge's Order and Report and Recommendation recommending dismissal of her complaint following screening under 28 U.S.C. § 1915(e)(2). The district court conducted de novo review, overruled the objection, adopted the recommendation, and dismissed the complaint.
STANDARD OF REVIEW	De novo review of the portions of the magistrate judge's report and recommendation to which timely objection was made, under 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).
PRECEDENTIAL VALUE	Unknown; unpublished district court opinion
PARTIES	Danielle LaTriece Tucker v. PayPal

TOPICS

- pleadings
- subject matter jurisdiction
- civil procedure
- consumer protection

PRACTICE AREAS

federal civil procedure

pleading standards

in forma pauperis screening

subject matter jurisdiction

consumer protection

QUESTIONS PRESENTED

1. Whether the district court should overrule the objection and adopt the magistrate judge's recommendation to dismiss the complaint after de novo review.
2. Whether the complaint and objection stated a legally cognizable claim with fair notice of the factual and legal grounds for relief.
3. Whether the plaintiff adequately established subject matter jurisdiction.

HOLDINGS

1. When a party timely objects to a magistrate judge's report and recommendation, the district court must conduct a de novo determination of the portions specifically objected to and may accept, reject, or modify the recommendation.
2. A complaint must provide fair notice of the factual and legal grounds supporting the claims, and a complaint that fails to identify a claim or explain how the defendant's conduct was wrongful may be dismissed for failure to state a claim.
3. A court must dismiss an in forma pauperis action that is frivolous or malicious or that fails to state a claim upon which relief may be granted.
4. A plaintiff must explain the basis for the federal court's subject matter jurisdiction; failure to do so supports dismissal.

KEY QUOTATIONS

“At bottom, Plaintiff has failed in her Complaint and Objection to give fair notice of the claims she is raising or to describe how PayPal’s conduct was wrongful and gave rise to a claim.” (Discussion)

“Accordingly, the Court OVERRULES Plaintiff’s Objection (Doc. 4) and ADOPTS the Magistrate Judge’s Order and Report and Recommendation (Doc. 3) in its entirety.” (Conclusion)

FACTUAL BACKGROUND

Plaintiff alleged that several PayPal accounts were opened in her name without her permission. She asserted that PayPal indicated fraud was involved after she complained and stated that a settlement should be negotiated. In her objection, she repeated some allegations, claimed to be a victim of identity theft, and listed several federal statutes and regulations without explaining the factual and legal basis for a claim or the court's jurisdiction.

PROCEDURAL HISTORY

Tucker filed a pro se complaint alleging that PayPal accounts had been opened in her name without permission and that PayPal identified fraud in response to her complaints. The magistrate judge screened the complaint

under 28 U.S.C. § 1915(e)(2) and recommended dismissal because the complaint failed to identify a claim, lacked sufficient factual and legal notice, and did not establish subject matter jurisdiction. Tucker filed a timely objection, which the district court overruled before adopting the recommendation and entering judgment for PayPal.

DISPOSITION

dismissed

CASES CITED

- United States v. Oguaju, 76 F. App'x 579, 581 (6th Cir. 2003)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555 (2007)

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