

**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.

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO EASTERN DIVISION Danielle LaTriece Tucker, Plaintiff, Case No. 2:25-cv-1177 Judge James L. Graham v. Magistrate Judge Kimberly A. Jolson PAYPAL, Defendant. Opinion and Order This matter is before the Court on an Order and Report and Recommendation issued by the Magistrate Judge on October 14, 2025.

See Doc. 3. The Magistrate Judge conducted an initial screen of Plaintiff's Complaint pursuant to 28 U.S.C. § 1915(e)(2) and recommended that it be dismissed. Plaintiff timely objected. For the reasons stated below, the Court overrules Plaintiff's Objection and adopts the Magistrate Judge's Order and Report and Recommendation.

I. Background Plaintiff, proceeding pro se, filed a Complaint against PayPal, alleging that several PayPal accounts were opened in her name without her permission and that, in response to her complaints, PayPal indicated that fraud was involved. She further alleged that "a settlement needs to be negotiated for allowance of fraud." Doc. 1-1 at PAGEID 4.

The Magistrate Judge found that, for several reasons, Plaintiff's Complaint failed to state a claim upon which relief may be granted. First, her one-paragraph Complaint did not identify a claim that she was raising.

Second, insofar as Plaintiff was attempting to allege a violation of a criminal statute, a private right of action did not exist. See *United States v. Oguaju*, 76 F. App'x 579, 581 (6th Cir. 2003)). Third, "Plaintiff's allegations are too thin to provide fair notice of the factual and legal grounds underlying her claims." Doc. 3 at PAGEID 23. And finally, Plaintiff did not set forth how the Court has subject matter jurisdiction over the case.

Plaintiff submitted a letter to the Court on October 27, 2025, which the Court construes as an Objection to the Report and Recommendation. Like her Complaint, the letter is difficult to decipher. She repeats some of the allegations in her Complaint and says that she has a PayPal account and is a victim of identity theft. She lists a number of laws that she asks the Court to “take into consideration.” Doc.

4 at PAGEID 26-27 (listing “Gramm-Leach-Bliley Act[,], Dodd-Frank Act[,], Consumer Financial Protection Act of 2010[, and] Section 103.4 of Regulation E”). II. Discussion When a party timely objects to a report and recommendation, the court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1); Fed.

R. Civ. P. 72(b). The court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Congress authorized federal courts to dismiss certain claims brought in forma pauperis. 28 U.S.C. § 1915(e)(2) provides that the court “shall dismiss” an action if it is “frivolous or malicious” or “fails to state a claim on which relief may be granted.” On de novo review, the Court concurs with the Magistrate Judge’s analysis of the Complaint.

Plaintiff’s Objection fails to identify any legal or factual error made in the Report and Recommendation. And even considering the new allegations in the Objection, Plaintiff has not provided fair notice of the factual and legal grounds supporting any potential claim under the laws she listed. See Fed. R. Civ. P. 8(a); *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007).

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. She has also still failed to explain how the Court has subject matter jurisdiction over this action. III. Conclusion 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. The Court **DISMISSES** Plaintiff’s Complaint, and the Clerk of Court is instructed to enter judgment for defendant. s/ James L. Graham **JAMES L. GRAHAM** DATE: January 22, 2026
United States District Judge