UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MISSOURI, EASTERN DIVISION

Adam Hardwrict v. TransUnion LLC, et al.

Hardwrict · No. 4:25-cv-01762-RHH · Decided April 16, 2026

SUMMARY

The United States District Court for the Eastern District of Missouri grants Adam Hardwrict's application to proceed without prepaying filing fees in his Fair Credit Reporting Act action. The court finds that the amended complaint's allegations are conclusory and insufficient to state a plausible claim, but allows Plaintiff 30 days to file a second amended complaint with more specific factual allegations. The court also denies as moot Plaintiff's motion for status of his in forma pauperis application.

CASE DETAILS

COURT	United States District Court for the Eastern District of Missouri, Eastern Division
JURISDICTION	United States District Court for the Eastern District of Missouri, Eastern Division
DECIDED	April 16, 2026
DOCKET	4:25-cv-01762-RHH
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff sought leave to proceed in forma pauperis and submitted an amended complaint alleging violations of the Fair Credit Reporting Act. On initial screening under 28 U.S.C. § 1915(e), the court granted the fee-waiver application but found the amended complaint insufficiently pleaded and ordered Plaintiff to file a second amended complaint.
STANDARD OF REVIEW	On initial review under 28 U.S.C. § 1915(e), the Court accepts well-pleaded facts as true and liberally construes the allegations, but must dismiss a complaint that is frivolous, malicious, or fails to state a claim. The complaint must contain sufficient factual matter to state a facially plausible claim for relief.
PRECEDENTIAL VALUE	Nonprecedential district-court memorandum and order; no precedential status is stated in the source.

TOPICS

credit reporting · consumer protection · pleadings · civil procedure

PRACTICE AREAS

Fair Credit Reporting Act · consumer credit reporting · federal civil procedure · in forma pauperis screening

QUESTIONS PRESENTED

1. Whether Plaintiff's amended complaint stated a plausible Fair Credit Reporting Act claim against the consumer reporting agencies and furnishers.
2. Whether Plaintiff should be permitted to proceed without prepaying the filing fee.
3. Whether Plaintiff should be granted leave to file a second amended complaint rather than have the action dismissed at initial screening.

HOLDINGS

1. The amended complaint failed to state a plausible FCRA cause of action because its conclusory allegations did not identify the specific inaccurate information, the responsible Defendant, the nature of the disputes, the recipients of the disputes, or the required notice and investigation failures.
2. Plaintiff's application to proceed without prepayment of fees and costs was granted based on the financial information provided.
3. Plaintiff was ordered to file a second amended complaint within 30 days on the Court-provided form, with specific factual allegations supporting each claim and Defendant's involvement.

KEY QUOTATIONS

> *"To state a claim for relief, a complaint must plead more than "legal conclusions" and "[t]hreadbare recitals of the elements of a cause of action [that are] supported by mere conclusory statements.""*

> *"A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged."*

> *"Plaintiff's "[t]hreadbare recitals of the elements of a cause of action, supported by mere conclusory statements," are insufficient to state a cause of action."*

FACTUAL BACKGROUND

Plaintiff alleged that TransUnion, Equifax, Experian, Cavalry Portfolio Services, Citibank, and Hopkins Management Group reported or continued reporting inaccurate and unverifiable credit information from 2023 through 2025 despite multiple written disputes. He alleged that consumer reporting agencies failed to conduct reasonable reinvestigations and that furnishers failed to correct inaccurate information after notice. The Court found that Plaintiff did not identify the specific disputed information, the Defendant who furnished it, the contents or recipients of the disputes, or whether a consumer reporting agency notified a furnisher of the dispute.

PROCEDURAL HISTORY

The Court previously ordered Plaintiff to amend his complaint on a court-provided form. After reviewing the amended complaint under the mandatory screening provisions applicable to in forma pauperis actions, the Court concluded that Plaintiff's allegations were conclusory and did not plausibly state FCRA claims. Rather than dismissing the action, the Court granted leave to file a second amended complaint within 30 days and denied as moot Plaintiff's motion concerning the status of his in forma pauperis application.

DISPOSITION

other

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 678-79 (2009)
- Echols v. Cavalry Portfolio Servs., LLC, No. 4:20-CV-1277-JAR, 2021 WL 426255, at *2 (E.D. Mo. Feb. 8, 2021)
- Germany v. DAS Acquisition Co., LLC, No. 4:25-CV-748-ZMB, 2026 WL 160869, at *4 (E.D. Mo. Jan. 21, 2026)
- Anderson v. EMC Mortg. Corp., 631 F.3d 905, 907 (8th Cir. 2011)
- Topchian v. JPMorgan Chase Bank, N.A., 760 F.3d 843, 848 (8th Cir. 2014)
- Neubauer v. FedEx Corp., 849 F.3d 400, 404 (8th Cir. 2017)
- In re Wireless Telephone Fed. Cost Recovery Fees Litig., 396 F.3d 922, 928 (8th Cir. 2005)

OPINION

Hardwrict
PER CURIAM.
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION
ADAM HARDWRICT,)
) Plaintiff,)) v.) No. 4:25-cv-01762-RHH) TRANSUNION LLC, et al.,)) Defendants.)
MEMORANDUM AND ORDER
This matter is before the Court on the application of self-represented Plaintiff Adam Hardwrict for leave to commence this action without prepayment of the required filing fee. Based on the financial information provided in the application, the application will be granted. Plaintiff's filing fee will be waived. See 28 U.S.C. § 1915(a). Furthermore, on initial review of Plaintiff's amended complaint, the Court will order Plaintiff to file a second amended complaint in accordance with the instructions below. See 28 U.S.C. § 1915(e)(2)(b). Legal Standard on Initial Review Under 28 U.S.C. § 1915(e), the Court is required to dismiss a complaint filed without payment of the filing fee if it is frivolous, malicious, or fails to state a claim upon which relief can be granted. To state a claim for relief, a complaint must plead more than "legal conclusions" and "[t]hreadbare recitals of the elements of a cause of action [that are] supported by mere conclusory statements." Ashcroft v.

Iqbal, 556 U.S. 662, 678 (2009). A plaintiff must demonstrate a plausible claim for relief, which is more than a "mere possibility of misconduct." Id. at 679. "A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." Id. at 678 (citation omitted). task that requires the reviewing court to draw on its judicial experience and common sense. Id. at 679. When reviewing a complaint under 28 U.S.C. § 1915(e), the Court accepts the well-pled facts as true. Furthermore, the Court liberally construes the allegations. The Amended Complaint On December 10, 2025, the Court ordered Plaintiff to amend his complaint on a Court- provided form. This amended complaint now is before the Court on initial review under 28 U.S.C. § 1915(e). Plaintiff brings his claims against TransUnion LLC; Equifax Information Services LLC; Experian Information Solutions, Inc.; Cavalry Portfolio Services, LLC; Citibank N.A.; and Hopkins Management Group/Debt Co. He describes TransUnion, Equifax, and Experian as consumer reporting agencies (CRAs). He describes Cavalry Portfolio Services and Hopkins Management Group as debt collectors and furnishers of credit information, and Citibank N.A. as a furnisher of credit information. He sues all Defendants for alleged violations of the Fair Credit Reporting Act (FCRA). Plaintiff's statement of claim purports to answer the five questions asked on the form. The Court quotes his allegations in their entirety.

1. What happened to you?
2. When did it happen?
3. Where did it happen?
4. What injuries did you suffer?
5. What did each defendant personally do, or fail to do, to harm you?

1. Defendants reported and continued to report inaccurate and unverifiable
credit information about plaintiff despite disputes
2. From 2023 through 2025, including after multiple written disputes
3. Through nationwide credit reporting systems affecting Plaintiff in St. Louis
County, Missouri financial harm
5. Consumer reporting agencies failed to conduct reasonable reinvestigations
and furnisher reported inaccurate information and failed to correct it after notice. Am. Compl. at 7. Discussion "Congress enacted the FCRA to ensure fair and accurate credit reporting, promote efficiency in the banking system, and protect consumer privacy." Echols v. Cavalry Portfolio Servs., LLC, No. 4:20-CV-1277-JAR, 2021 WL 426255, at *2 (E.D. Mo. Feb. 8, 2021) (internal quotation marks and citation omitted). The FCRA places obligations on the CRAs and on furnishers of information to the CRAs. Id. Plaintiff alleges he reported "multiple written disputes" to Defendants, although he does not specify what disputes and to which Defendants he reported. See Am. Compl. at 7. Upon receiving Plaintiff's notice of a dispute, a CRA is obligated to conduct a reasonable investigation regarding the disputed investigation. Echols, 2021 WL 426255 at *2. It must promptly notify the furnisher of credit information of the dispute. See id.. To state a claim

against furnishers of information under the FCRA, "a plaintiff must establish (1) a dispute regarding the accuracy or completeness of information from the CRA; (2) notice of the dispute from the CRA to the furnisher; and (3) the furnisher's failure to conduct an investigation, correct any inaccuracies, or notify the CRA of the results of the investigation." Germany v. DAS Acquisition Co., LLC, No. 4:25-CV-748-ZMB, 2026 WL 160869, at *4 (E.D. Mo. Jan. 21, 2026) (internal quotation marks and citation omitted). Plaintiff's one-sentence responses are conclusory, and contain no supporting facts to meet these elements. He does not specify, for example, which Defendant provided false information to a CRA; what information was false or how he disputed it; if the CRA gave notice of the dispute to (citing Anderson v. EMC Mortg. Corp., 631 F.3d 905, 907 (8th Cir. 2011) ("[T]he duties of . . . a furnisher of credit information under 15 U.S.C. § 1681s-2(b) are triggered by notice that its information is being disputed from a CRA, not from the consumer.")). As such, Plaintiff has failed to allege a plausible cause of action against Defendants. Plaintiff's "[t]hreadbare recitals of the elements of a cause of action, supported by mere conclusory statements," are insufficient to state a cause of action. Iqbal, 556 U.S. at 678. Plaintiff has not alleged enough factual information to maintain an action under the FCRA. Rather than dismiss Plaintiff's complaint, the Court will allow him to amend. Instructions for Amending the Complaint Plaintiff shall file his second amended complaint on the enclosed form in accordance with the following instructions:

1. Caption. In the "Caption" section, Plaintiff must:

• Provide the case number as it appears on this Order. • List the full names of all individuals or entities he intends to sue.

2. Statement of Claim. The "Statement of Claim" section must include:

• A short and plain statement of the factual allegations supporting each claim. See Fed. R. Civ. P. 8(a). • Separate, numbered paragraphs, with each paragraph addressing a single set of circumstances. See Fed. R. Civ. P. 10(b). • A clear explanation of how each Defendant's actions or omissions violated Plaintiff's rights. See Topchian v. JPMorgan Chase Bank, N.A., 760 F.3d 843, 848 (8th Cir. 2014) (internal quotation marks and citations omitted) party fair notice of the nature and basis or grounds for a claim"). • Facts establishing each Defendant's involvement in the alleged violations. • Specific factual allegations, rather than conclusory statements or formulaic recitations of legal elements. See Neubauer v. FedEx Corp., 849 F.3d 400, 404 (8th Cir. 2017) (internal quotation marks and citation omitted) ("A pleading that offers labels and conclusions or a formulaic recitation of the elements of a cause of action will not do. Nor does a complaint suffice if it tenders naked assertions devoid of further factual enhancement.").

3. Joinder. If Plaintiff names multiple Defendants, he may only assert claims that (1) arise out of the same transaction or occurrence, and (2) involve a common question of law or fact. See Fed. R. Civ. P. 20(a)(2). Unrelated claims against different Defendants must be filed as separate lawsuits. However, if Plaintiff names only a single Defendant, he may assert as many claims as he has against that Defendant. See Fed. R. Civ. P. 18(a).

4. Effect. The second amended complaint will completely replace the prior amended complaint. Any claims not re-alleged in the second amended complaint will be deemed abandoned. See In re Wireless Telephone Fed. Cost Recovery Fees Litig., 396 F.3d 922, 928 (8th Cir. 2005).

5. Signature. Plaintiff must fully complete and sign the second amended complaint in compliance with Rule 11 of the Federal Rules of Civil Procedure. Conclusion For the foregoing reasons, the Court grants Plaintiff's application to proceed in district court without prepaying fees and costs. Additionally, the Court orders Plaintiff to file a second amended complaint on the Court-provided form in accordance with the instructions above. Accordingly, IT IS HEREBY ORDERED that Plaintiff's application to proceed in district court without prepayment of fees and costs (ECF No. 2) is GRANTED. IT IS FURTHER ORDERED that, within 30 days of the date of this order, Plaintiff must file a second amended complaint in accordance with the instructions above. The Clerk of Court shall mail Plaintiff a copy of the Court's Civil Complaint form. IT IS FURTHER ORDERED that Plaintiff's motion for status of pending motion to proceed in forma pauperis (ECF No. 6) is DENIED as moot. Plaintiff's failure to timely comply with this order will result in the dismissal of this case, without prejudice and without further notice. Dated this 16th day of April, 2026.

UNITED STATES MAGISTRATE JUDGE