

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
TEXAS, LAREDO DIVISION

BBA Logistics LLC, individually and as assignee of SL Produce LLC
v. Go Pro Express LLC

BBA Logistics · No. 5:25-cv-47 · Decided December 29, 2025

SUMMARY

The United States District Court for the Southern District of Texas adopted a magistrate judge’s Report and Recommendation concerning Plaintiff’s motion for default judgment. The court granted the motion in part on Plaintiff’s Carmack Amendment and breach of contract claims, denied attorney’s fees, and awarded \$20,076.00 in damages plus pre- and post-judgment interest.

CASE DETAILS

COURT	United States District Court for the Southern District of Texas, Laredo Division
WRITING FOR THE COURT	Marina Garcia Marmolejo
JURISDICTION	United States District Court for the Southern District of Texas, Laredo Division
DECIDED	December 29, 2025
DOCKET	5:25-cv-47
DISPOSITION	other
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Report and Recommendation on Plaintiff's Motion for Entry of Final Judgment by Default after the objection period expired without objection.
STANDARD OF REVIEW	Clear-error review under Federal Rule of Civil Procedure 72(b) because no party objected to the Report and Recommendation.
PRECEDENTIAL VALUE	Unknown; district court order with no reported citation.
PARTIES	BBA Logistics LLC, individually and as assignee of SL Produce LLC v. Go Pro Express LLC

TOPICS

- default judgment
- attorney fees
- prejudgment interest
- breach of contract
- civil procedure

PRACTICE AREAS

civil procedure

commercial litigation

contracts

remedies

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's Report and Recommendation when no party filed objections and the court found no clear error.
2. Whether Plaintiff's motion for entry of final judgment by default should be granted on the Carmack Amendment and breach-of-contract claims, denied as to attorney's fees, and accompanied by the recommended damages and interest awards.

HOLDINGS

1. When no party objects to a magistrate judge's Report and Recommendation, the district court reviews the recommendation for clear error and may adopt it in whole if no clear error is found.
2. Plaintiff's motion for entry of final judgment by default was properly granted in part and denied in part as recommended: default judgment was entered on the Carmack Amendment and breach-of-contract claims, attorney's fees were denied, and the recommended damages and interest were awarded.

KEY QUOTATIONS

"Finding none, the Court hereby ADOPTS IN WHOLE Judge dos Santos's Report and Recommendation (Dkt. No. 14)."

FACTUAL BACKGROUND

The opinion concerns Plaintiff's claims against Go Pro Express LLC under the Carmack Amendment and for breach of contract. The opinion does not describe the underlying shipment or contract facts in detail. The adopted recommendation awarded Plaintiff \$20,076.00 in damages and prejudgment interest while denying attorney's fees.

PROCEDURAL HISTORY

The Court referred Plaintiff's motion for default judgment to United States Magistrate Judge Christopher dos Santos. The magistrate judge recommended entering default judgment on Plaintiff's Carmack Amendment and breach-of-contract claims, denying attorney's fees, and awarding \$20,076.00 in damages, 7.25% prejudgment interest, and post-judgment interest at the applicable rate. After no party objected, the district court reviewed the recommendation for clear error, found none, adopted it in whole, and granted the motion in part and denied it in part; final judgment was to issue separately.

DISPOSITION

other

CASES CITED

- CGI Logistics, LLC v. Fast Logistik, 2023 WL 8313341, at *2 (S.D. Tex. Dec. 1, 2023)
- United States v. Soto, 734 F. App'x 258, 259 (5th Cir. 2018)
- Cao v. BSI Fin. Servs., Inc., 858 F. App'x 156, 158 (5th Cir. 2021)

OPINION

UNITED STATES DISTRICT COURT December 29, 2025 SOUTHERN DISTRICT OF TEXAS
Nathan Ochsner, Clerk LAREDO DIVISION BBA LOGISTICS LLC, individually and § as
assignee of SL PRODUCE LLC § § VS. § CIVIL ACTION NO. 5:25-cv-47 § GO PRO EXPRESS
LLC § ORDER ADOPTING REPORT AND RECOMMENDATION On July 22, 2025, the Court
referred Plaintiff's Motion for Entry of Final Judgment by Default to United States Magistrate
Judge Christopher dos Santos for a Report and Recommendation (see Dkt.

No. 11). Judge dos Santos issued his report (Dkt. No. 14), recommending that: (1) Plaintiff's
motion be granted to the extent that default judgment be entered on Plaintiff's Carmack
Amendment and breach of contract claims against Defendant Go Pro Express LLC; (2) Plaintiff's
motion be denied to the extent it requested attorney's fees; and (3) Plaintiff be awarded the
following: (a) damages in the amount of \$20,076.00; (b) pre-judgment interest on the \$20,076.00
damages at a rate of 7.25%; and (c) post-judgment interest at the applicable rate from the date of
Final Judgment (Dkt.

No. 14 at 18–19). The fourteen- day objection period has lapsed, and no party objected to these
recommendations. Pursuant to Federal Rule of Civil Procedure 72(b), the Court reviewed the
Report and Recommendation for clear error. CGI Logistics, LLC v. Fast Logistik, No. 5:23-CV-
43, 2023 WL 8313341, at *2 (S.D. Tex. Dec. 1, 2023) (Garcia Marmolejo, J.) (citing United States
v. Soto, 734 F. App'x 258, 259 (5th Cir.

2018)); see also Cao v. BSI Fin. Servs., Inc., 858 F. App'x 156, 158 (5th Cir. 2021). Finding none,
the Court hereby ADOPTS IN WHOLE Judge dos Santos's Report and Recommendation (Dkt.
No. 14). Accordingly, Plaintiffs Motion for Entry of Final Judgment by Default (Dkt. No. 10) is
GRANTED IN PART and DENIED IN PART as set forth in Judge dos Santos's Report and
Recommendation (Dkt.

No. 14). The Court will enter Final Judgment under separate cover. See Fed. R. Civ. P. 58(a). It is
so ORDERED. SIGNED December 29, 2025. Marina Garcia Marmolejo United States District
Judge