

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

Antaunic Wise, Plaintiff, v. CREDIT COLLECTION SERVICES LLC, Defendant,	Jury Trial Demand Case: 2:24-cv-11906 Assigned To : McMillion, Brandy R. Case No Referral Judge: Patti, Anthony P. Assign. Date : 7/23/2024 Description: CMP ANTAQUNIC Hon: WISE V CREDIT COLLECTION SERVICES (SS)
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COMPLAINT AND DEMAND FOR JURY

I. INTRODUCTION

1. This is an action for actual and statutory damages brought by Plaintiff Antaunic Wise an individual consumer, (hereinafter “Plaintiff”), against Defendant, Credit Collection Services, LLC (hereinafter “Defendant”) for violations of the Fair Debt Collection Practices Act, 15 U.S.C § 1692 et seq. (hereinafter “FDCPA”), which prohibits debt collectors from engaging in unfair, abusive, deceptive collection practices.

II. JURISDICTION AND VENUE

2. The court has jurisdiction under 15 U.S.C § 1692k (d) and 28 U.S.C § 1331. The venue in this District is proper as the defendant transacts business in Michigan.

III. PARTIES

3. Plaintiff is a natural person residing in the Eastern District of Michigan.

4. Plaintiff is a consumer as defined by the Fair Debt Collection Practices Act, 15 U.S.C. § 1692a (3).
5. Upon information and belief, defendant principal place of business is headquartered at 725 Canton Street, Norwood, MA 02062.
6. Defendant is engaged in the collection of debt from consumers using the mail and telephone and regularly attempts to collect consumers' debts alleged to be due to another. Defendant is a "debt collector" as defined by the FDCPA, 15 U.S.C. 1692a (6).
7. Defendant is attempting to collect an alleged debt that arose from a transaction in which the money, property, insurance or services which are the subject of the transaction are primarily for personal, family. or household purposes.

IV. FACTS OF THE COMPLAINT.

8. Defendant is attempting to collect on a debt allegedly due to Farmers Insurance.
9. On or around August 15th, 2023, defendant texted plaintiff attempting to collect the alleged debt of 476.14.
10. On or around August 15th, 2023, plaintiff replied to a text message from defendant, making them aware she 'Refuses to Pay the Debt', as instructed by 15 U.S.C. § 1692c (c), which consumers are to do when they want debt collectors to cease communication. **(See Exhibit A).**
11. Plaintiff then received another text message from defendant instructing her to call a telephone number, nevertheless the message violated 15 U.S.C. § 1692c (c), as the text message was outside of the scopes the law allows. **(See Exhibit A).**
12. The statute further provides three exceptions related to future communication that includes the debt collector advising the consumer that further efforts are being terminated, that the collector may invoke specified remedies which are ordinarily invoked by such debt collector or that the debt collector intends to invoke a specified remedy.
13. Defendant text message did not meet one of the three exceptions allowed by law and

therefore, willfully violated 15 U.S.C. § 1692c (c).

14. The unlawful communication was not a bona fide error, but a willful disregard for the FDCPA and reveals that defendant procedures are designed to willfully violate Consumers rights.

15. Defendant procedures were willfully structured to deprive consumers of their rights for the defendant financial gain.

16. Defendant illegal tactics caused plaintiff to suffer actual damages including but not limited to frustration, sleeplessness, anxiety, emotional distress and the loss of focus at work, as plaintiff worried what else the company might do to deprive her of her rights.

17. Plaintiff claim is within the 1-year statute of limitation as the violation occurred August 15, 2023, and the plaintiff claim is entered on July 22, 2024.

V. FIRST CLAIM FOR RELIEF

18. Plaintiff re-alleges and reincorporates all previous paragraphs as if fully set out herein.

19. Defendant violated 15 U.S.C § 1692c(c) of the FDCPA by failing to cease collection upon receiving the written notice from plaintiff.

20. Plaintiff was deprived of her right to be free from illegal communication tactics.

21. Defendant's violations of § 1692c (c) of the FDCPA render it liable for actual and statutory damages see, 15 U.S.C. § 1692k.

VI. JURY DEMAND AND PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully demands a jury trial and requests that judgment be entered in favor of Plaintiff and against Defendant for:

A. Judgment for the violations occurred for violating the FDCPA;

B. Actual damages;

C. Statutory damages;

D. For such other and further relief as the Court may deem just and proper.

Dated: July 22, 2024

Respectfully Submitted

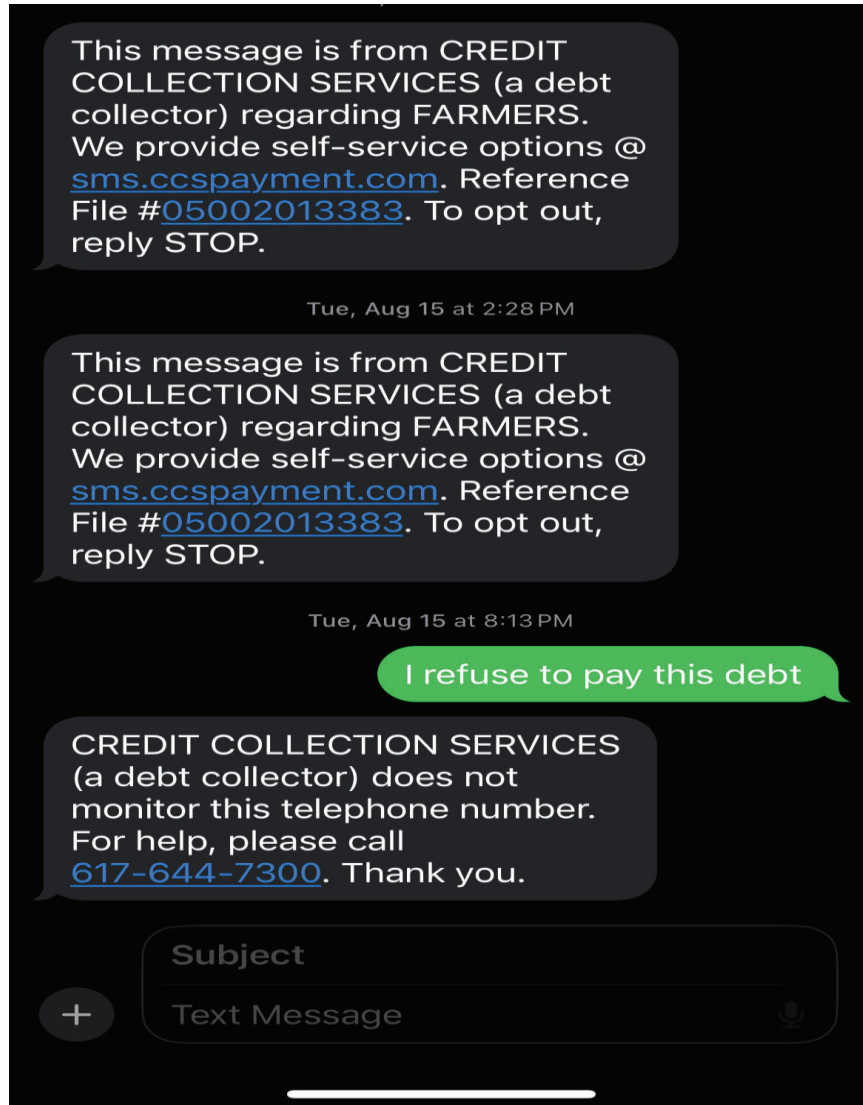
Antaunic Wise

13883 Eastburn St.

Detroit, MI 48205

Email: antaunic.wise@gmail.com

Exhibit A



JS 44 (Rev. 10/20)

CIVIL COVER SHEETCounty in which action arose: Wayne

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFSAntaquin Wise**DEFENDANTS**Credit Collection Services, LLC

(b) County of Residence of First Listed Plaintiff Wayne
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) Attorneys (Firm Name, Address, and Telephone Number)

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | ☐ 1 | ☐ 1 | Incorporated or Principal Place of Business in This State | ☐ 4 | ☐ 4 |
| Citizen of Another State | ☐ 2 | ☐ 2 | Incorporated and Principal Place of Business in Another State | ☐ 5 | ☐ 5 |
| Citizen or Subject of a Foreign Country | ☐ 3 | ☐ 3 | Foreign Nation | ☐ 6 | ☐ 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
☐ 110 Insurance	☐ 310 Airplane	☐ 625 Drug Related Seizure of Property 21 USC 881	☐ 422 Appeal 28 USC 158	☐ 375 False Claims Act
☐ 120 Marine	☐ 315 Airplane Product Liability	☐ 690 Other	☐ 423 Withdrawal 28 USC 157	☐ 376 Qui Tam (31 USC 3729(a))
☐ 130 Miller Act	☐ 320 Assault, Libel & Slander			☐ 400 State Reapportionment
☐ 140 Negotiable Instrument	☐ 330 Federal Employers' Liability			☐ 410 Antitrust
☐ 150 Recovery of Overpayment & Enforcement of Judgment	☐ 340 Marine			☐ 430 Banks and Banking
☐ 151 Medicare Act	☐ 345 Marine Product Liability			☐ 450 Commerce
☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans)	☐ 350 Motor Vehicle			☐ 460 Deportation
☐ 153 Recovery of Overpayment of Veteran's Benefits	☐ 355 Motor Vehicle Product Liability			☐ 470 Racketeer Influenced and Corrupt Organizations
☐ 160 Stockholders' Suits	☐ 360 Other Personal Injury			☐ 480 Consumer Credit (15 USC 1681 or 1692)
☐ 190 Other Contract	☐ 362 Personal Injury - Medical Malpractice			☐ 485 Telephone Consumer Protection Act
☐ 195 Contract Product Liability				☐ 490 Cable/Sat TV
☐ 196 Franchise				☐ 850 Securities/Commodities/Exchange
				☐ 890 Other Statutory Actions
				☐ 891 Agricultural Acts
				☐ 893 Environmental Matters
				☐ 895 Freedom of Information Act
				☐ 896 Arbitration
				☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision
				☐ 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:

Plaintiff sent a refusal to pay notice and defendant disregarded it by continuing communication violating 15 U.S.C 1692c (c)

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See Instructions):

JUDGE

DOCKET NUMBER

DATE
July 19, 2024

SIGNATURE OF ATTORNEY OF RECORD

Antaquin Wise

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

PURSUANT TO LOCAL RULE 83.11

1. Is this a case that has been previously dismissed?

☐ Yes

☒ No

If yes, give the following information:

Court: _____

Case No.: _____

Judge: _____

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

☐ Yes

☒ No

If yes, give the following information:

Court: _____

Case No.: _____

Judge: _____

Notes :
