

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

AURELIA WILLIAMS,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:15-CV-254-WKW
)	[WO]
RESURGENT CAPITAL)	
SERVICES, L.P.,)	
)	
Defendant.)	

ORDER

This is an adversary proceeding in which Aurelia Williams, a Chapter 13 debtor, contends that Resurgent Capital Services, L.P.’s filing of a proof of claim on a time-barred debt violated the Fair Debt Collection Practices Act (“FDCPA”). Before the court is the Report and Recommendation (“Report”) of United States Bankruptcy Judge Dwight H. Williams, Jr., submitted pursuant to 28 U.S.C. § 157(c)(1). The Report, which contains proposed findings of fact and conclusions of law, recommends that this court grant Defendant’s motion to dismiss on grounds that the FDCPA’s one-year statute of limitations bars Ms. Williams’s adversary proceeding. No party has objected to the Report’s proposed findings of fact and conclusions of law.

Upon an independent review of the file in this case, it is ORDERED that the Recommendation is ADOPTED and that Defendant's motion to dismiss the adversary proceeding under Federal Rule of Bankruptcy Procedure 7012(b)(6) is GRANTED.

A final judgment will be entered separately.

DONE this 28th day of May, 2015.

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE