

PCA Acquisitions V, LLC v Tindley
2026 NY Slip Op 31999(U)
May 7, 2026
Supreme Court, New York County
Docket Number: Index No. 151520/2025
Judge: Emily Morales-Minerva
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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK: PART 42M

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PCA ACQUISITIONS V, LLC AS ASSIGNEE OF
SYNCHRONY BANK FORMERLY KNOWN AS GE
CAPITAL RETAIL BANK

Plaintiff,

- v -

JASMINE TINDLEY,

Defendant.

INDEX NO. 151520/2025

MOTION DATE 02/26/2026

MOTION SEQ. NO. 001

**DECISION + ORDER ON
MOTION**

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The following e-filed documents, listed by NYSCEF document number (Motion 001) 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18

were read on this motion to/for

JUDGMENT - DEFAULT

APPEARANCES:

Law Office of Donald Eng, Esq., New York, NY (Michelle Caroline Eng, Esq., of counsel), for plaintiff.

EMILY MORALES-MINERVA, J.S.C.

In this action, plaintiff PCA ACQUISITIONS V, LLC as assignee of SYNCHRONY BANK FORMERLY KNOWN AS GE CAPITAL RETAIL BANK (plaintiff) moves, pursuant to CPLR § 3215, for an order granting it leave to enter a default judgment against defendant JASMINE TINDLEY (defendant) in the amount of \$2,999.24, together with costs, and disbursements.

Defendant does not appear or submit opposition to the motion (sequence number 01).

When a defendant fails "to appear, plead or proceed to trial of an action reached and called for trial, or when the court orders a dismissal for any other neglect to proceed, the plaintiff may seek a default judgment against [the defendant]" (CPLR § 3215 [a]). To establish entitlement to a default judgment, plaintiff must file (1) proof it served defendant with the summons and complaint, and (2) "proof of the facts constituting the claim, the default, and the amount due . . . by affidavit made by the party" (see CPLR § 3215 [f]; see also Woodson v Mendon Leasing Corp., 100 NY2d 62, 70 [2003] [providing that "an applicant for a default judgment [must] file 'proof by affidavit made by the party of the facts constituting the claim'"]; 231st Riverdale LLC v 7 Star Home Furniture Inc., 198 AD3d 524, 525 [1st Dept 2021]; Feffer v Malpeso, 210 AD2d 60 [1st Dept 1994]).

Here, plaintiff demonstrates its entitlement to entry of a default judgment against defendant by submitting, among other things, the affirmation of service (see NYSCEF Doc. No. 03); the affirmation of additional mailing (see NYSCEF Doc. Nos. 04 and 05; see also CPLR § 3215 [g] [3]); an affirmation of facts and sale of account by original creditor (see NYSCEF Doc. No. 12); an affirmation of facts and purchase of account by debt buyer plaintiff (see NYSCEF Doc. No. 14); the credit card account agreement (see NYSCEF Doc. No. 13); defendant's credit card

statement (see NYSCEF Doc. No. 02); and proof of defendant's default (see NYSCEF Doc. No. 18) (see CPLR § 3215 [f]; see also Licurgo-Villar v Samouha, 227 AD3d 619, 620 [1st Dept 2024]; Guzetti v City of New York, 32 AD3d 234 [1st Dept 2006]).

Plaintiff also provides proof of defendant's non-military status (see NYSCEF Doc. No. 11).

Accordingly, it is hereby

ORDERED that plaintiff's motion (seq. no. 01) for a default judgment is granted; it is further

ORDERED that the Clerk of Court is directed to enter judgment in favor of plaintiff PCA ACQUISITIONS V, LLC as assignee of SYNCHRONY BANK FORMERLY KNOWN AS GE CAPITAL RETAIL BANK and against defendant JASMINE TINDLEY in the amount of \$2,999.24, together with costs and disbursements; it is further

ORDERED that, within twenty days from the date of this decision and order, plaintiff shall serve a copy of this order, with notice of entry, on defendant, as well as on the Clerk of the Court, who shall enter judgment accordingly; and it is further

ORDERED that the Clerk of Court shall mark the file accordingly.

5/7/2026

DATE


EMILY MORALES-MINERVA, J.S.C.

CHECK ONE:

CASE DISPOSED

NON-FINAL DISPOSITION

GRANTED

DENIED

GRANTED IN PART

OTHER

APPLICATION:

SETTLE ORDER

SUBMIT ORDER

CHECK IF APPROPRIATE:

INCLUDES TRANSFER/REASSIGN

FIDUCIARY APPOINTMENT

REFERENCE