

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
JONESBORO DIVISION**

LINDA FAYE WHITFIELD  
on behalf of  
WILLIAM LAMAR WEAVER

PLAINTIFF

V.

NO. 3:16CV00151-DPM-JTR

CAROLYN COLVIN,  
Acting Commissioner,  
Social Security Administration

DEFENDANT

**ORDER**

On June 13, 2016, Linda Faye Whitfield, on behalf of William Lamar Weaver, filed a *pro se* civil complaint against the Social Security Administration, along with a Motion for Leave to Proceed *In Forma Pauperis* pursuant to 28 U.S.C. § 1915. *Docs. 1 & 2.*

Whitfield submitted her claims on a preprinted form entitled “Complaint for Review of a Social Security Disability or Supplemental Security Income Decision.” However, she did not answer all of the questions on the form. For example, she did not: (1) state the date she received notice of the Commissioner’s final decision (Section II); or (2) give any reasons why she believes the Commissioner’s decision should be overturned (Section III). In addition, she did not attach a copy of the Commissioner’s final decision or the notice that her appeal had been denied by the

Appeals Council, as directed by Section II of the form.

Thus, Whitfield's *pro se* Complaint does not set forth sufficient facts for the Court to determine whether it has jurisdiction over her case. *See* 42 U.S.C. § 405(g) (individual can obtain judicial review of a "final decision of the Commissioner of Social Security made after a hearing to which he was a party"); *Anderson v. Sullivan*, 959 F.2d 690, 692 (8th Cir. 1992) (stating that "the Social Security Act precludes general federal subject matter jurisdiction until administrative remedies have been exhausted" and explaining that claimants may seek judicial review only of "final decisions" from the Commissioner).

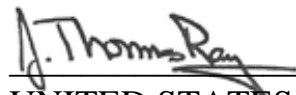
Accordingly, Whitfield is ordered to file, **on or before July 15, 2016**, an Amended Complaint that answers all of the questions on the preprinted form.<sup>1</sup> To assist Whitfield in fully completing the preprinted form, the Clerk of the Court is directed to provide her with a copy of the incomplete *pro se* Complaint that she filed with this Court on June 13, 2016 (*Doc. 2*).

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<sup>1</sup>Whitfield is hereby notified of her responsibility to comply with Rule 5.5(c)(2) of the Local Rules of the United States District Court for the Eastern and Western Districts of Arkansas, which provides: "It is the duty of any party not represented by counsel to promptly notify the Clerk and the other parties to the proceedings of any change in his or her address, to monitor the progress of the case, and to prosecute or defend the action diligently. A party appearing for himself/herself shall sign his/her pleadings and state his/her address, zip code, and telephone number. If any communication from the Court to a pro se plaintiff is not responded to within thirty (30) days, the case may be dismissed without prejudice. Any party proceeding *pro se* shall be expected to be familiar with and follow the Federal Rules of Civil Procedure."

The Court will hold in abeyance Whitfield's Motion for Leave to Proceed *In Forma Pauperis*, Doc. 1, until she files her Amended Complaint.

DATED this 16th day of June, 2016.

A handwritten signature in black ink that reads "J. Thomas Ray". The signature is written in a cursive style with a horizontal line underneath the name.

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UNITED STATES MAGISTRATE JUDGE