

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROBERT C. BARKINS,

No. C-11-06194 DMR

Plaintiff,

**ORDER TO SUBMIT ADDITIONAL
INFORMATION**

v.

SOCIAL SECURITY ADMINISTRATION,

Defendant.

Plaintiff Robert C. Barkins filed a Complaint seeking judicial review of a final decision of the Commissioner of Social Security regarding a claim for SSDI benefits by Claimant Robert Barkins for a “dependent child” named Kala Bryant.

Plaintiff had previously filed another case in this District, Case No. 11-0203-PJH, *Robert C. Barkins v. Social Security*, regarding dependent child benefits. That case was dismissed on September 30, 2011 on the grounds that the court lacked subject matter jurisdiction because Plaintiff had not exhausted his administrative remedies. On December 20, 2011, this court ordered Plaintiff to file a statement with the court indicating the name of the child for whom Plaintiff sought benefits in the previous case, whether the current case involves benefits for the same child as in the previous case, and if so, why this case is different from the previous case. Plaintiff submitted the supplemental information on January 12, 2012. [Docket No. 10.]

1 In Plaintiff's January 12, 2012 submission to the court, Plaintiff included a Notice of
2 Reconsideration from the Social Security Administration dated October 25, 2011 regarding
3 Plaintiff's claim for benefits on behalf of Kala Bryant. The notice stated that if Plaintiff disagreed
4 with the Social Security Administration's decision on Ms. Bryant's benefits, the next step was to
5 request a hearing before an Administrative Law Judge. It is not clear whether Plaintiff has requested
6 a hearing before an Administrative Law Judge. Accordingly, by **February 8, 2012**, Plaintiff is
7 ordered to file a statement with the court indicating whether he has requested a hearing from the
8 Social Security Administration regarding its decision, and if so, whether the hearing has taken place.
9 If Plaintiff has not requested such a hearing, Plaintiff shall explain why his current case should not
10 be dismissed because Plaintiff has failed to exhaust his administrative remedies.

11
12 IT IS SO ORDERED.

13
14 Dated: January 20, 2012

