UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

MAY 3 0 2013

Clerk, U.S. District and
Bankruptcy Courts

Clyde Lacy Rattler,	)	
	)	
Petitioner,	)	
	)	
v.	)	Civil Action No. 13-786
	)	
Department of Health and Human Services,	)	
	)	
Respondent.	)	
	)	

MEMORANDUM OPINION

This matter is before the Court on review of plaintiff's *pro se* complaint and application

to proceed *in forma pauperis*. The application will be granted and the case will be dismissed

pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) (requiring dismissal of a case upon a determination that

the complaint fails to state a claim upon which relief may be granted).

Plaintiff is a District of Columbia resident who alleges that he applied for supplemental

security income with the Department of Health and Human Services and that the application was

denied. Compl. at 1-2. He does not state when this occurred but in earlier complaints since

dismissed as frivolous, plaintiff stated that he applied for benefits "on or about 1983." *Rattler v.*

Dep't of Health and Human Servs., No. 13-0327, slip op. at 1 (D.D.C. Mar. 15, 2013); *see also*

Rattler v. Sec'y of Dep't of Health and Human Servs., No. 10-1484, slip op. at 1 (D.D.C. Aug.

31, 2010), *aff'd*, 405 Fed. Appx. 504 (D.C. Cir. Dec. 8, 2010). As in the dismissed cases,

plaintiff seeks here a writ of mandamus. Compl. at 2. Since, among other reasons, the Social

Security Act provides an adequate remedy for challenging the denial of social security benefits,

see 42 U.S.C. § 405(g), plaintiff is not entitled to the extraordinary remedy of mandamus. *See*

Council of and for the Blind of Delaware County Valley v. Regan, 709 F.2d 1521, 1533 (D.C.

Cir. 1983) (en banc); *Rattler v. Dep't of Health and Human Servs.*, No. 13-0094, slip op. (D.D.C.

Jan. 23, 2013) (concluding that petitioner "utterly fails to meet his burden" for mandamus relief).

Hence, this case will be dismissed. A separate Order accompanies this Memorandum Opinion.

United States District Judge

Date: May 2ˡˢᵗ, 2013