

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

BEATRICE FLEMING,)	
)	
Plaintiff,)	
)	
v.)	No. 10 C 5138
)	
SOCIAL SECURITY ADMINISTRATION,)	
)	
Defendant.)	

MEMORANDUM ORDER

On August 16 Beatrice Fleming ("Fleming") filed two lawsuits, each assigned to this Court's calendar, in which she claims to have been the victim of racial discrimination. Here Fleming sues the Social Security Administration, complaining about the result of a hearing dealing with Fleming's receipt of Social Security benefits to which she was not entitled.

According to Complaint ¶10, Fleming admits that she was overpaid, but she quarrels with the larger amount that was ordered by an Administrative Law Judge ("ALJ"). In addition, the last paragraph of the Complaint states confusingly "I am making a demand, but I do not want any money from them I just want the records corrected." Then she asks that a \$25,000 demand is "to be entered in the records."

It is really impossible to tell whether this Court has jurisdiction to entertain this action. Any court appeal from a social security administrative decision requires the litigant to complete the administrative process first, and Fleming's recital

really does not speak to that issue.

Accordingly more input is needed from Fleming. At a minimum she must promptly submit a copy of the order entered by the ALJ as described in Complaint ¶10 (including any notice as to the next steps she was required to take to seek review), together with a statement as to what further action (if any) Fleming took before turning to this District Court. If that is done in two counterparts (one to be delivered to the Clerk's Office, the other to be delivered to this Court's chambers), this Court will seek to make a prompt determination. But if Fleming fails to provide the necessary information by delivery to the Clerk's Office on or before August 27,¹ this Court will be constrained to dismiss this action for lack of the required jurisdictional showing.²



Milton I. Shadur
Senior United States District Judge

Date: August 18, 2010

¹ This time period is admittedly short--but not at all unreasonable, for it calls on Fleming to provide nothing more than is already in her possession.

² In the meantime, Fleming's In Forma Pauperis Application and her Motion for Appointment of Counsel will be held in abeyance.