

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

<b>EFREN F. CORRAL,</b>	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No: 16 C 4315
	)	
<b>CAROLYN COLVIN,</b>	)	
	)	
Defendant.	)	

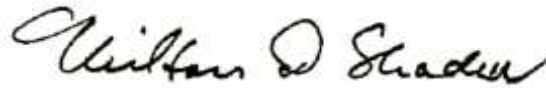
**MEMORANDUM ORDER**

Because the original Complaint filed pro se by plaintiff Efren Corral ("Corral") seeking benefits under the Social Security Act had mistakenly attached as an exhibit an early-stage unfavorable decision issued by Social Security Administration ("SSA") personnel, Corral's action clearly appeared to be barred as untimely on its face. That caused this Court's sua sponte dismissal of the action on April 21 of this year, thus mooting Corral's contemporaneously filed In Forma Pauperis Application ("Application") and Motion for Attorney Representation ("Motion for Counsel"). But Corral then retained counsel, who filed a motion for relief under Fed. R. Civ. P. ("Rule") 60(b) (the "Rule 60(b) Motion"), attaching a proposed Amended Complaint that in turn included as an exhibit the later adverse ruling by the SSA's Appeals Counsel dated February 11, 2016.

It appeared from counsel's filing that Corral had indeed gotten in just under the wire with his original Complaint, although the touch-and-go time sequence led this Court to request a confirmation of the actual date of Corral's receipt of that adverse ruling, rather than his relying on a presumptive date of receipt as Rule 60(b) Motion ¶ 4 had sought to do. Corral has now

responded to that request (see his attached May 25 letter), and -- as had seemed most likely -- he has confirmed the timeliness of his lawsuit.

Accordingly Corral's Rule 60(b) Motion is granted and his action is reinstated, with leave granted to file the Amended Complaint. And because those actions have effectively revived the previously mooted Application, that too is granted (although the Motion for Counsel remains moot). This action is set for a next status hearing at 9:15 a.m. August 31, 2016, to allow ample time for appropriate interim action by both sides looking to the ultimate resolution of the case.



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Milton I. Shadur  
Senior United States District Judge

Date: June 2, 2016

May 25, 2016

To Whom It May Concern:

I, Efren F. Corral am writing this letter in reference to a letter I received on February 22, 2016 from the Social Security Office. The letter a received was dated on February 11, 2016 but it was postmarked on February 15, 2016 and we did not receive the letter until February 22, 2016.

I contacted an attorney on or around the first of March that recommended me to another attorney who recommended me to the Attorney Jaffrey A. Rabin with an appointment on March 30, 2016, than this attorney recommended me to Attorney Barry A. Schultz. In this case he is now my attorney.

So at this time this is my situation if you have any questions you may reach me at (708) 673-2774.

Sincerely



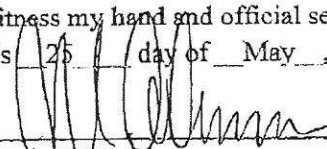
Efren F. Corral

STATE OF ILLINOIS

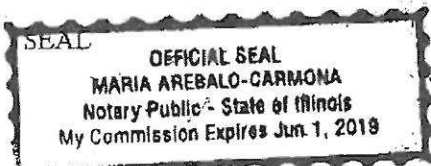
COUNTY OF COOK

On this day, personally appeared before me Efren F. Corral to me known to be the person(s) described in and who executed the within and foregoing instrument, and acknowledged that he/she signed the same as his/her voluntary act and deed, for the uses and purposes therein mentioned.

Witness my hand and official seal hereto affixed  
this 25 day of May, 2016.

  
\_\_\_\_\_  
Notary Public

My commission expires 6/1/19.



ATTACHMENT