

1 pursuant to 28 U.S.C. § 1915, the Court finds that Plaintiff is unable to pre-pay the filing fee.
2 Therefore, Plaintiff's request to proceed *in forma pauperis* in federal court is granted.

3 **II. Complaint**

4 Plaintiff brings suit against the SSA alleging he was wrongfully denied social security
5 disability benefits. Federal courts only have jurisdiction to conduct judicial review of the SSA's
6 final decisions. *See* 42 U.S.C. § 405(g); *see also Pacific Coast Medical Enterprises v. Harris*, 633
7 F.2d 123, 137 (9th Cir. 1980). Plaintiff appears to have fully exhausted his administrative remedies
8 with the SSA. The Court will therefore allow Plaintiff's complaint to proceed as a petition for
9 judicial review of a final agency decision. Accordingly,

10 **IT IS HEREBY ORDERED** that Plaintiff's Motion to Proceed *In Forma Pauperis* (#1) is
11 **granted** with the caveat that the fees shall be paid if recovery is made. At this time, Plaintiff shall
12 not be required to pre-pay the full filing fee of four hundred dollars (\$400).

13 **IT IS FURTHER ORDERED** that the Clerk of the Court shall file the Complaint (#1-1).

14 **IT IS FURTHER ORDERED** that the Clerk of the Court shall serve the Commissioner of
15 the Social Security Administration by sending a copy of summons and Complaint by certified mail
16 to: (1) Office of the Regional Chief Counsel, Region IX, Social Security Administration, 160 Spear
17 Street, Suite 899, San Francisco, California 94105; and (2) the Attorney General of the United
18 States, Department of Justice, 950 Pennsylvania Ave. NW, Washington DC 20530.

19 **IT IS FURTHER ORDERED** that the Clerk of the Court shall issue summons to the
20 United States Attorney for the District of Nevada, and deliver the summons and Complaint to the
21 U.S. Marshal for service.

22 **IT IS FURTHER ORDERED** that Defendants shall have **sixty (60) days** from the date of
23 service to file their answer or responsive pleading to Plaintiff's Complaint in this case.

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