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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CRAIG R. SMITH,)
)
 Plaintiff(s),)
)
 vs.)
)
 NANCY A. BERRYHILL,)
 Acting Commissioner of Social Security,)
)
 Defendant(s).)

Case No. 2:17-cv-02092-JCM-NJK
ORDER
(Docket No. 1)

Plaintiff has requested authority pursuant to 28 U.S.C. § 1915 to proceed *in forma pauperis*, (Docket No. 1), and submitted a Complaint (Docket No. 1-1).

I. Application to Proceed *In Forma Pauperis*

Plaintiff has submitted the affidavit required by § 1915(a) showing an inability to prepay fees and costs or give security for them. Docket No. 1. Accordingly, the request to proceed *in forma pauperis* will be granted pursuant to § 1915(a). The Court will now review Plaintiff’s Complaint.

II. Screening the Complaint

When a party seeks permission to pursue a civil case *in forma papueris*, courts will screen the complaint pursuant to federal statute. *See* 28 U.S.C. § 1915(e). Plaintiff’s counsel has submitted the same form complaint that has been found insufficient on numerous occasions. *See, e.g., Chaplin v. Berryhill*, 2017 U.S. Dist. Lexis 114690, at *6 (D. Nev. July 21, 2017) (collecting cases). For the same reasons, Plaintiff’s complaint here is deficient.

1 **III. Conclusion**

2 Based on the foregoing, IT IS ORDERED that:

- 3 1. Plaintiff's request to proceed *in forma pauperis* is **GRANTED** with the caveat that the fees
4 shall be paid if recovery is made. At this time, Plaintiff shall not be required to pre-pay the
5 filing fee of four hundred dollars (\$400.00).
- 6 2. Plaintiff is permitted to maintain the action to conclusion without the necessity of
7 prepayment of any additional fees or costs or the giving of a security therefor. The Order
8 granting leave to proceed *in forma pauperis* shall not extend to the issuance of subpoenas
9 at government expense.
- 10 3. The Clerk of Court shall file the Complaint.
- 11 4. The Complaint is **DISMISSED** with leave to amend. Plaintiff will have until **August 16,**
12 **2017**, to file an Amended Complaint, if Plaintiff believes he can correct the noted
13 deficiencies.

14 Dated: August 2, 2017

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17 NANCY J. KOPPE
18 UNITED STATES MAGISTRATE JUDGE
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