

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

WILLIE BANKS, )  
 )  
 Plaintiff(s), )  
 )  
 v. )  
 )  
 NANCY BERRYHILL, ACTING )  
 COMMISSIONER OF SOCIAL SECURITY, )  
 )  
 Defendant(s). )  
 \_\_\_\_\_ )

Case No. 2:17-cv-02554-JAD-NJK  
ORDER

The Court previously screened Plaintiff’s complaint, finding that it failed to include a plain statement identifying the grounds on which he contends that the Social Security Administration had erred. Docket No. 3 at 4. Plaintiff has now filed an amended complaint, indicating that he believes the ALJ erred in failing to admit certain evidence and failing to properly account for his limitations as to walking and standing. Docket No. 6.<sup>1</sup> In the context of a *pro se* claimant, the Court finds this sufficient for screening purposes.

---

<sup>1</sup> The Court construes the filing liberally as Plaintiff lacks an attorney. *See, e.g., Vernon v. Heckler*, 811 F.2d 1274, 1278 (9th Cir. 1987). Moreover, Plaintiff’s latest filing is not a complaint that is complete in itself, as it alleges only the grounds for his disagreement with the Commissioner’s decision and does not otherwise include the allegations required. *See* Docket No. 6; *see also* Local Rule 15-1(a) (amended complaints must be complete in themselves). In the interest of justice, the Court will treat the latest filing as an attachment to the prior complaint. Nonetheless, Plaintiff is cautioned that he must comply with the applicable rules moving forward.

1 Accordingly, the Court hereby **ORDERS** as follows:

- 2 1. The Clerk of the Court shall serve the Commissioner of the Social Security  
3 Administration by sending a copy of the summons, Complaint and Amended Complaint  
4 by certified mail to: (1) Office of Regional Chief Counsel, Region IX, Social Security  
5 Administration, 160 Spear St., Suite 899, San Francisco, California 94105-1545; and (2)  
6 the Attorney General of the United States, Department of Justice, 950 Pennsylvania  
7 Avenue, N.W., Room 4400, Washington, D.C. 20530.
- 8 2. The Clerk of Court shall issue summons to the United States Attorney for the District of  
9 Nevada and deliver the summons, Complaint and Amended Complaint to the U.S.  
10 Marshal for service.
- 11 3. From this point forward, Plaintiff shall serve upon Defendant or, if appearance has been  
12 entered by counsel, upon the attorney, a copy of every pleading, motion or other  
13 document submitted for consideration by the court. Plaintiff shall include with the  
14 original paper submitted for filing a certificate stating the date that a true and correct  
15 copy of the document was personally served or sent by mail to the defendants or counsel  
16 for the defendants. The court may disregard any paper received by a district judge or  
17 magistrate judge which has not been filed with the Clerk, and any paper received by a  
18 district judge, magistrate judge or the Clerk which fails to include a certificate of service.

19 Dated: January 18, 2018

20   
21 \_\_\_\_\_  
22 NANCY J. KOPPE  
23 UNITED STATES MAGISTRATE JUDGE  
24  
25  
26  
27  
28