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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**
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11 SALLY GENIER,

12 Plaintiff(s),

13 v.

14 NANCY A. BERRYHILL,

15 Defendant(s).

Case No.: 2:18-cv-00628-JAD-NJK

Order

[Docket No. 3]

16 On April 10, 2018, the Court granted Plaintiff's request to proceed *in forma pauperis* and
17 proceeded to screen her complaint pursuant to 28 U.S.C. § 1915(e). Docket No. 2. The Court
18 found the complaint insufficiently articulated the basis for Plaintiff's disagreement with the Social
19 Security Administration's determination and, thus, failed to show that Plaintiff is entitled to relief.
20 *Id.* at 4. In particular, the Court found that the "complaint indicates in conclusory fashion that the
21 Commissioner erred in finding that she is not disabled . . . [and] such a bald assertion fails." *Id.*

22 Plaintiff has now filed an amended complaint. Docket No. 3. With respect to articulating
23 the basis for Plaintiff's disagreement with the Social Security Administration's determination,
24 however, the allegations appear to be unchanged from those already found to be deficient.
25 *Compare* Docket No. 3 at ¶¶ 8-9 *with* Docket No. 1-2 at ¶¶ 7-8.¹ For the reasons already

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27 ¹ Without elaboration, Plaintiff indicates that she "disagrees with the determination made
28 by the Social Security Administration in its final agency decision, which failed to comply with the
regulations in weighing the opinion evidence in this case, evaluating credibility, and supporting
the finding of non-disability with substantial evidence." Docket No. 3 at ¶ 9.

1 articulated, these assertions are insufficiently developed to survive screening.² The Court repeats
2 that, “[w]hile this showing need not be made in great detail, it must be presented in sufficient detail
3 for the Court to understand the legal and/or factual issues in dispute so that it can meaningfully
4 screen the complaint pursuant to § 1915(e). *Cf. Hoagland*, 2012 WL 2521753, at *4 (the complaint
5 should avoid the advocacy and argumentation of the opening brief to be submitted later, but must
6 specifically set forth the facts showing an entitlement to relief).” Docket No. 2 at 4.

7 The Court will allow a final opportunity for Plaintiff to amend her complaint in this case
8 to provide sufficient detail as to the basis for disagreement with the Social Security
9 Administration’s determination. Plaintiff must provide more detail than has been provided as to
10 why she believes she is entitled to relief. A second amended complaint shall be filed by April 26,
11 2018.

12 IT IS SO ORDERED.

13 Dated: April 12, 2018

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16 Nancy J. Koppe
17 United States Magistrate Judge
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26 ² Compounding these problems, Plaintiff appears to not have a firm grasp on the disabilities
27 she is claiming. The amended complaint indicates that her “present contentions” are that she is
28 disabled as a result of neuropathy and scoliosis, but that her contention as to the nature of her
disability is subject to change as this appeal proceeds. *See* Docket No. 3 ¶ 8. Having exhausted
her administrative remedies and filed an appeal therefrom, Plaintiff should already know what
disabilities she is claiming. *See, e.g.,* Fed. R. Civ. P. 11.