

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE**

Tod Graham

v.

Civil No. 12-cv-496-SM

United States Social Security
Administration Acting Commissioner

O R D E R

Pro se claimant Tod Graham has filed an action challenging an adverse decision of the Social Security Administration ("SSA"), pursuant to 42 U.S.C. § 405(g). Because Graham is proceeding pro se and in forma pauperis, the matter is before the court for preliminary review. See 28 U.S.C. § 1915(e)(2); United States District Court District of New Hampshire Local Rule ("LR") 4.3(d)(1)(B).

Discussion

Graham is seeking judicial review of an adverse SSA decision. Graham has demonstrated that he filed this action within sixty days of receiving a final decision of the SSA Commissioner on his claim. See 42 U.S.C. § 405(g) (establishing

60-day time limit for seeking judicial review). Accordingly, the matter may proceed at this time.

Conclusion

The complaint (doc. no. 1) shall be served upon defendant. See Fed. R. Civ. P. 4(c)(3). The clerk's office is directed to complete and issue the necessary summonses to (1) the United States Attorney for the District of New Hampshire; (2) the Attorney General of the United States; (3) Carolyn W. Colvin, Acting Commissioner of the Social Security Administration, and (4) the Office of the Regional Chief Counsel, Region 1, Social Security Administration, and then forward to those entities, by certified mail, return receipt requested, the summonses, along with a copy of the complaint (doc. no. 1), and this order. See Fed. R. Civ. P. 4(i)(2); see also 20 C.F.R. § 423.1(a).

Defendant is instructed to answer or otherwise plead within 60 days of service, see Fed. R. Civ. P. 12(a)(2), and to file the certified administrative record, in accordance with 42 U.S.C. § 405(g) and LR 9.1.

The parties shall comply with all applicable rules thereafter, including LR 9.1, concerning social security cases filed in this court.

Graham is instructed that all future pleadings, written motions, notices, or similar papers shall be served directly on the defendant by delivering or mailing the materials to defendant or defendant's attorney(s), pursuant to Fed. R. Civ. P. 5(b).

SO ORDERED.



Landya B. McCafferty
United States Magistrate Judge

March 18, 2013

cc: Tod Graham, pro se

LBM:nmd