

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

CURTIS R. MOHAWK, )  
)  
Plaintiff, )  
)  
v. )  
)  
COMMISSIONER OF SOCIAL )  
SECURITY, )  
)  
Defendant. )

Case No. CIV-17-998-BMJ

**ORDER ADOPTING REPORT AND RECOMMENDATION**

Plaintiff, appearing pro se, filed his Complaint on September 15, 2017 [Doc. No. 1]. The Complaint set forth only one sentence:

*Recieved [sic] denial letter on July 20, 2017 denying S.S.I. benefits for the plaintiff [sic].<sup>1</sup>*

The matter was assigned to United States Magistrate Judge Bernard Jones, who issued a Report and Recommendation (R&R or Report) [Doc. No. 3] recommending that the Complaint be dismissed without prejudice for failing to comply with Rule 8, Federal Rules of Civil Procedure. Plaintiff timely filed his objection to the Report.

Rule 8 states, in relevant part:

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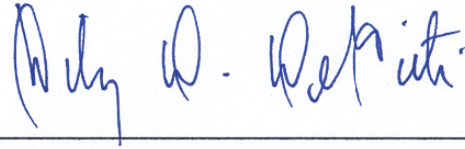
<sup>1</sup> The Social Security Administration’s denial letter was attached as an exhibit to the Complaint.

- (a) **Claim for Relief.** A pleading that states a claim for relief must contain:
- (1) a short and plain statement of the grounds for the court's jurisdiction, unless the court already has jurisdiction and the claim needs no new jurisdictional support;
  - (2) a short and plain statement of the claim showing that the pleader is entitled to relief; and
  - (3) a demand for the relief sought, which may include relief in the alternative or different types of relief.

Fed. R. Civ. P. 8(a). In this regard, the Court liberally construes pro se litigants' pleadings and holds them to a less stringent standard than required of those prepared by a lawyer. *Ghailani v. Sessions*, 859 F.3d 1295, 1303 (10th Cir. 2017).

The Court must determine de novo any part of the Magistrate Judge's disposition that has been properly objected to. *See* Fed. R. Civ. P. 72(b)(3). Plaintiff's Complaint only states that he received a denial letter for social security benefits; his Objection only sets forth his medical conditions, his treating physicians, and the medication he is currently taking. Even giving the Complaint and Objection the liberal construction applicable to filings by pro se litigants, the Court can discern no arguable basis for a claim or jurisdiction in this Court. Accordingly, the Court **ADOPTS** the Magistrate Judge's Report and Recommendation as though fully set forth herein. A judgment shall be issued forthwith.

**IT IS SO ORDERED** this **18<sup>th</sup>** day of January 2018.

A handwritten signature in blue ink, reading "Timothy D. DeGiusti". The signature is written in a cursive style with a horizontal line underneath it.

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TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE