

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF
MASSACHUSETTS

Roland Garrett v. Social Security Administration

Garrett · No. 25-13833-MJJ · Decided December 31, 2025

SUMMARY

The United States District Court for the District of Massachusetts grants Roland Garrett leave to proceed in forma pauperis and addresses his challenge to the termination of Social Security benefits. The court denies a temporary restraining order, keeps the preliminary-injunction request under advisement, orders transmission of the action to the Social Security Administration, and dismisses claims for monetary damages.

CASE DETAILS

COURT	United States District Court for the District of Massachusetts
WRITING FOR THE COURT	Myong J. Joun
JURISDICTION	United States District Court for the District of Massachusetts
DECIDED	December 31, 2025
DOCKET	25-13833-MJJ
DISPOSITION	other
PROCEDURAL POSTURE	Pro se plaintiff brought an action alleging that the Social Security Administration wrongfully terminated his benefits and sought leave to proceed in forma pauperis, emergency injunctive relief, and \$50,000 in damages. The district court screened the complaint under 28 U.S.C. § 1915(e)(2), granted in forma pauperis status, denied the request for a temporary restraining order in part, kept the preliminary-injunction request under advisement, ordered transmission of the action to the SSA under the Supplemental Rules for Social Security Actions, and dismissed the damages claims.
STANDARD OF REVIEW	The court reviewed the complaint under the screening standard in 28 U.S.C. § 1915(e)(2), liberally construing the pro se pleading. The court also applied the strict-construction principles governing waivers of sovereign immunity and the requirements for judicial review under 42 U.S.C. § 405(g).
PRECEDENTIAL VALUE	unpublished district court memorandum and order

PARTIES

Roland Garrett v. Social Security Administration

TOPICS

judicial review of agency action

administrative law

injunctions

damages

civil procedure

PRACTICE AREAS

Social Security

Administrative Law

Civil Procedure

Federal Courts

Remedies

QUESTIONS PRESENTED

1. Whether Garrett should be permitted to proceed without prepayment of the filing fee.
2. Whether the complaint and emergency request should be screened or dismissed under 28 U.S.C. § 1915(e)(2).
3. Whether Garrett's Social Security claim could proceed under 42 U.S.C. § 405(g) despite uncertainty regarding exhaustion and the existence of a final agency decision.
4. Whether the Social Security Act permits Garrett to recover monetary damages for alleged wrongful termination or mishandling of benefits.
5. Whether Garrett was entitled at that stage to a temporary restraining order and preliminary injunctive relief.

HOLDINGS

1. The motion for leave to proceed in forma pauperis was granted.
2. A complaint filed by a plaintiff proceeding without prepayment of the filing fee is subject to preliminary screening under 28 U.S.C. § 1915(e)(2), with a pro se complaint liberally construed.
3. The action would not be dismissed at that stage solely because exhaustion and a final SSA decision were unclear; instead, the Clerk was ordered to transmit the complaint and emergency motion to the SSA under Rule 3 of the Supplemental Rules for Social Security Actions.
4. Claims for monetary damages arising under the Social Security Act were dismissed because § 405(g) does not provide a damages remedy and § 405(h) makes § 405(g) the exclusive route for claims arising under the Act.

KEY QUOTATIONS

“A “final decision” arises when (1) the Appeals Council of the SSA denies an individual request for further review of the decision of the administrative law judge; or (2) the Appeals Council does decide to review the individuals claims and issues its decision.” (Section II.B)

“Section § 405(g) does not contain a damages remedy, and it is the exclusive method “to recover on any claim arising under” the Social Security Act.” (Section II.C)

FACTUAL BACKGROUND

Garrett alleged that the SSA scheduled termination of all of his state and federal services in Massachusetts without warning or notice, effective January 1, 2026. He asserted that he could not pay rent and faced eviction. He sought to stop the termination and requested \$50,000 in damages, but the record did not establish whether he had exhausted the administrative process or received a final decision from the SSA Appeals Council.

PROCEDURAL HISTORY

Garrett filed a complaint alleging that the SSA scheduled termination of his state and federal services effective January 1, 2026. He also filed an in forma pauperis motion and an emergency motion seeking injunctive relief. The court conducted preliminary screening, concluded that the SSA could provide information regarding exhaustion and the status of any final agency decision, directed the Clerk to transmit the complaint and emergency motion to the SSA, and dismissed claims seeking monetary damages.

DISPOSITION

other

CASES CITED

- FDIC v. Meyer, 510 U.S. 471, 475 (1994)
- United States v. Nordic Village, Inc., 503 U.S. 30, 33-34 (1992)
- Irwin v. Department of Veterans Affairs, 498 U.S. 95 (1990)
- Sims v. Apfel, 530 U.S. 103, 106-07 (2000)
- Schweiker v. Chilicky, 487 U.S. 412, 424-25 (1988)
- Weinberger v. Salfi, 422 U.S. 749, 756-61 (1975)
- Toth v. Commissioner of Social Security, 705 F. App'x 138 (3d Cir. 2017) (per curiam)
- Bowen v. City of New York, 476 U.S. 467, 479-80 (1986)

OPINION

UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS)
ROLAND GARRETT,)) Plaintiff,)) v.) Civil Action No. 25-13833-MJJ)
SOCIAL SECURITY ADMINISTRATION,)) Defendant.)))
MEMORANDUM AND ORDER JOUN, D.J. Plaintiff Roland Garrett, who is representing himself, has filed a civil complaint against the United States Social Security Administration (“SSA”) in which he alleges that the agency wrongfully terminated his Social Security benefits.

Garrett has also filed a motion for leave to proceed in forma pauperis and motion for injunctive relief. For the reasons stated below, the Court will grant the motion for leave to proceed in forma pauperis, deny in part the motion for injunctive relief and order that the complaint and emergency motion be transmitted to the SSA.

The Court will also dismiss any claims for damages. I. MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS Upon review of Garrett’s motion for leave to proceed in forma pauperis, the Court GRANTS the same. II. REVIEW OF THE COMPLAINT Because Garrett is proceeding without prepayment of the filing fee, his complaint is subject to a preliminary screening under 28 U.S.C. § 1915(e)(2).

This statute authorizes federal courts to dismiss actions in which a plaintiff seeks to proceed without prepayment of fees if the action is malicious, frivolous, fails to state a claim upon which relief may be granted, or seeks monetary relief against a defendant who is immune from such relief. See 28 U.S.C. § 1915(e)(2)(B).

In conducting this review, the Court liberally construes Garrett’s complaint because he is proceeding pro se. A. Plaintiff’s Complaint Plaintiff filed his complaint on the preprinted Pro Se 2 form (Complaint and Request for Injunction). [Doc. No. 1]. Plaintiff’s statement of his claim consists of the following: On 12-23-2025, defendant schedule a termination of all the plaintiff state and federal services in Massachusetts for January 1, 2026, without warning, or notice.

[Id. at ¶ III(A)]. Plaintiff explains that he “can’t pay rent, [and he is] facing eviction.” [Id. at ¶ IV (irreparable injury)]. In his prayer for relief, Garrett requests \$”50,000.00.” [Id. at ¶ V (relief)]. On his civil cover sheet, Garrett states that he is “trying to stop SSA from terminating [his] services.” [Doc. No. 1-2]. B. Sovereign Immunity of the United States The United States—including its agencies—has sovereign immunity from suit unless such immunity has been waived.

See *FDIC v. Meyer*, 510 U.S. 471, 475 (1994). A federal agency’s waiver of immunity must be “unequivocally expressed” and will be strictly construed in favor of immunity. *United States v. Nordic Village, Inc.*, 503 U.S. 30, 33-34 (1992) (quoting *Irwin v. Dep’t of Veterans Affairs*, 498 U.S. 95 (1990)).

The Social Security Act contains a very narrow waiver of sovereign immunity of the SSA. See 42 U.S.C. §§ 405(g), (h). Under 42 U.S.C. § 405(g) (“§ 405(g)”), an individual may seek judicial review of a “final decision” of the Commissioner of the SSA Administration. See 42 U.S.C. § 405(g). A “final decision” arises when (1) the Appeals Council of the SSA denies an individual request for further review of the decision of the administrative law judge; or (2) the Appeals Council does decide to review the individuals claims and issues its decision.

See 20 C.F.R. §§ 404.900(a), 404.981; see also *Sims v. Apfel*, 530 U.S. 103, 106-07 (2000). Thereafter, a civil action for judicial review of the final decision must be initiated within 60 days of the final decision. See 20 C.F.R. §§ 404.981, 422.210.1 Here, it is unclear whether Garrett has exhausted his administrative remedies with regard to the termination of the benefits he now seeks.

Nonetheless, because the SSA can provide this information, the Court will order the Clerk to transmit this action to the SSA pursuant to Rule 3 of the Supplemental Rules for Social Security

Actions under 42 U.S.C. § 405(g). C. Claims for Damages To the extent that Garrett seeks relief other than the benefits allegedly due to him, the complaint fails to state a claim upon which relief may be granted.

Section § 405(g) does not contain a damages remedy, and it is the exclusive method “to recover on any claim arising under” the Social Security Act. 42 U.S.C. § 405(h) (“§ 405(h)”) (“No action against the United States, the Commissioner of Social Security, or any officer or employee thereof shall be brought under section 1331 or 1346 of title 28 to recover on any claim arising under this subchapter.”).

Where a plaintiff challenges any misconduct related to the denial of Social Security benefits, the plaintiff’s remedy is limited to the benefits (if any) that were wrongly denied. See, e.g., *Schweiker v. Chilicky*, 487 U.S. 412, 424-25 (1988) (holding that the Social Security Act does not contain a “remedy in damages for emotional distress or for other hardships suffered” from mishandling of claim, and refusing to create Bivens remedy precludes a cause of action for 1 Though this sixty-day limit is non-jurisdictional, it is a condition on the waiver of sovereign immunity and, thus, is strictly construed.

See *Bowen v. City of New York*, 476 U.S. 467, 479 (1986). The limitations period, however, is subject to equitable tolling if the requirements of that doctrine are satisfied. See *id.* at 479–80. money damages for unconstitutional conduct that led to the wrongful denial of benefits); *Weinberger v. Salfi*, 422 U.S. 749, 756-61 (1975) (§ 405(h) bars federal-question jurisdiction of any claim arising under Social Security Act except pursuant to § 405(g)); *Toth v. Comm’r of Soc.*

Sec., 705 Fed. App’x 138 (3d Cir. 2017) (per curiam) (§ 405(h) precludes claim under the Federal Tort Claims Act for the SSA’s alleged wrongful denial of benefits). III. CONCLUSION In accordance with the foregoing, the Court hereby orders: 1.

The motion for leave to proceed in forma pauperis is GRANTED. 2. The emergency motion is DENIED in part as to the request for a temporary restraining order. The request for preliminary injunction remains under advisement and on or before January 14, 2026, Defendant must respond to Garrett’s request for preliminary injunction. 3.

The Clerk shall transmit the complaint and emergency motion to the SSA pursuant to Rule 3 of the Supplemental Rules for Social Security Actions under 42 U.S.C. § 405(g). Garrett is not required to serve a summons and complaint. See Rule 3 of the Supplemental Rules for Social Security Actions. 4. Any claims for monetary damages are DISMISSED. SO ORDERED. Dated: December 31, 2025 /s/ Myong J. Joun MYONG J. JOUN United States District Judge