

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

Joey I. Rodriguez v. Social Security Administration

Civ. No. 25-313 MLG/KK · No. Civ. No. 25-313 MLG/KK; 1:25-cv-00313 · Decided March 10, 2026

SUMMARY

A United States magistrate judge recommends granting the Social Security Administration’s motion to dismiss Joey I. Rodriguez’s complaint without prejudice. The recommendation concludes that the state court lacked jurisdiction over Rodriguez’s request for judicial review of the denial of Social Security benefits and that, because the action was removed under the federal-officer removal statute, the doctrine of derivative jurisdiction prevents the federal court from exercising jurisdiction. The recommendation also notes potential timeliness issues but resolves the motion on derivative-jurisdiction grounds.

CASE DETAILS

COURT	United States District Court for the District of New Mexico
WRITING FOR THE COURT	Kirtan Khalsa
JURISDICTION	United States District Court for the District of New Mexico
DECIDED	March 10, 2026
DOCKET	Civ. No. 25-313 MLG/KK; 1:25-cv-00313
DISPOSITION	dismissed
PROCEDURAL POSTURE	The Social Security Administration moved under Federal Rule of Civil Procedure 12(b)(1) to dismiss a removed state-court complaint for lack of subject-matter jurisdiction under the derivative-jurisdiction doctrine. The magistrate judge recommended granting the motion and dismissing without prejudice.
STANDARD OF REVIEW	For a facial Rule 12(b)(1) challenge, the court presumes the complaint’s jurisdictional allegations are true. The party asserting federal jurisdiction bears the burden of establishing it.
PARTIES	Joey I. Rodriguez v. Social Security Administration

QUESTIONS PRESENTED

- Whether the federal court could exercise jurisdiction over a state-court action seeking judicial review of a final SSA benefits decision after removal under 28 U.S.C. § 1442(a)(1).

2. Whether the derivative-jurisdiction doctrine required dismissal because the state court lacked jurisdiction over the SSA judicial-review claim.
3. Whether the complaint should be dismissed without prejudice under Federal Rule of Civil Procedure 12(b)(1).

HOLDINGS

1. The derivative-jurisdiction doctrine remains applicable to actions removed under the federal-officer removal statute, 28 U.S.C. § 1442, because Congress abolished the doctrine only for cases removed under the general removal statute, 28 U.S.C. § 1441.
2. State courts lack jurisdiction over complaints seeking judicial review of a final SSA decision under 42 U.S.C. § 405(g); federal district courts have exclusive jurisdiction over such claims.
3. Because the state court lacked jurisdiction over the SSA judicial-review action, the federal court acquired no jurisdiction upon removal under the derivative-jurisdiction doctrine.

KEY QUOTATIONS

“Under the doctrine of derivative jurisdiction”

FACTUAL BACKGROUND

Rodriguez sought Supplemental Security Income benefits from the Social Security Administration. An ALJ denied his claim, and the Appeals Council denied review on October 1, 2024, making that denial the SSA's final decision. Rodriguez then filed a state-court petition seeking judicial review and alleging that his attorney failed to timely submit medical paperwork, and the SSA removed the case to federal court.

PROCEDURAL HISTORY

Rodriguez filed a petition seeking review of the denial of Supplemental Security Income benefits in New Mexico state court. The SSA removed the action under 28 U.S.C. § 1442(a)(1), then moved to dismiss, arguing that the state court lacked jurisdiction over a claim for judicial review under 42 U.S.C. § 405(g), and that derivative jurisdiction therefore barred the federal court from exercising jurisdiction after removal. Rodriguez did not respond. The magistrate judge issued proposed findings and recommended disposition recommending dismissal without prejudice, subject to objections under 28 U.S.C. § 636(b)(1).

DISPOSITION

dismissed