

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Steve Urias v. Commissioner of Social Security

Urias · No. 2:24-cv-3000 AC · Decided May 15, 2025

SUMMARY

The United States District Court for the Eastern District of California denied the Commissioner of Social Security’s motion to dismiss for lack of subject matter jurisdiction. The court held that the complaint was timely because electronic filing occurred before midnight on the filing deadline, despite the docket reflecting the following day, and reset the deadline for filing the administrative record and an answer or cross-motion to July 14, 2025.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Allison Claire
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	May 15, 2025
DOCKET	2:24-cv-3000 AC
PROCEDURAL POSTURE	Plaintiff brought an action under 42 U.S.C. § 405(g) seeking review of the denial of Social Security benefits. The Commissioner moved to dismiss, arguing that the complaint was filed one day beyond the statutory deadline.
STANDARD OF REVIEW	The court considered the Commissioner's challenge under Federal Rule of Civil Procedure 12(b)(1) because compliance with the conditions of the government's consent to suit under 42 U.S.C. § 405(g) implicated subject matter jurisdiction.
PARTIES	Steve Urias v. Commissioner of Social Security

QUESTIONS PRESENTED

- Whether the Commissioner's challenge to the timeliness of the Social Security complaint was properly treated as a motion to dismiss for lack of subject matter jurisdiction under Federal Rule of Civil Procedure 12(b)(1).
- Whether the complaint was timely filed when plaintiff electronically submitted it before midnight on the deadline, although the court's electronic filing system docketed it on the following day.

3. Whether the court should reset the remaining case deadlines after denying the motion to dismiss.

HOLDINGS

1. A challenge to compliance with the conditions of the government's consent to suit under 42 U.S.C. § 405(g) is properly understood as a motion to dismiss for lack of subject matter jurisdiction under Rule 12(b)(1), rather than solely as a Rule 12(b)(6) failure-to-state-a-claim motion.
2. The complaint was timely because credible CM/ECF evidence showed that plaintiff filed it before midnight on October 30, 2024, the filing deadline; the system's recording of October 31 did not defeat timeliness.

FACTUAL BACKGROUND

The Appeals Council's notice was dated August 26, 2024, and the applicable rules presumed receipt five days later, making October 30, 2024, the filing deadline. The complaint was electronically filed at 9:31 p.m. Pacific time on October 30, but the CM/ECF system and docket displayed October 31. The court found plaintiff's filing notification credible and concluded that the complaint was filed before midnight on the due date.

PROCEDURAL HISTORY

An Administrative Law Judge denied plaintiff's Title XVI benefits claim on November 24, 2023. Plaintiff sought Appeals Council review, and the Appeals Council issued notice dated August 26, 2024, advising that a civil action had to be commenced within 60 days after receipt. Although the docket reflected October 31, 2024, as the filing date, plaintiff submitted CM/ECF notification evidence showing that the complaint was filed on October 30, 2024, at 9:31 p.m. Pacific time. The court denied the Commissioner's motion to dismiss and reset the deadline for filing the administrative record and an answer or cross-motion.

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