

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Brian Douglas Hines v. Frank J. Bisignano, Commissioner of Social Security

Hines · No. 2:26-cv-00096-MDC · Decided January 26, 2026

SUMMARY

The United States District Court for the District of Nevada grants Brian Douglas Hines’s application to proceed in forma pauperis in his Social Security disability benefits appeal. The court finds that the complaint plausibly challenges the Commissioner’s decision as unsupported by substantial evidence and directs the clerk to file and serve the complaint under the applicable Supplemental Rules for Social Security Actions.

CASE DETAILS

COURT	United States District Court for the District of Nevada
JURISDICTION	United States District Court for the District of Nevada
DECIDED	January 26, 2026
DOCKET	2:26-cv-00096-MDC
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed an application to proceed in forma pauperis and a complaint seeking judicial review of the Commissioner of Social Security's denial of disability insurance benefits.
STANDARD OF REVIEW	On screening under 28 U.S.C. § 1915(e), the court applies the Rule 12(b)(6) plausibility standard, accepting material allegations as true and construing them in the light most favorable to the plaintiff.
PRECEDENTIAL VALUE	unpublished, nonprecedential district court order
PARTIES	Brian Douglas Hines v. Frank J. Bisignano, Commissioner of Social Security

TOPICS

administrative law judicial review of agency action civil procedure motions to dismiss

PRACTICE AREAS

Social Security administrative law civil procedure

QUESTIONS PRESENTED

1. Whether plaintiff demonstrated that he was unable to pay the filing fee or give security and therefore could proceed in forma pauperis.
2. Whether the complaint stated a plausible claim for judicial review of the Commissioner's denial of disability insurance benefits.
3. Whether the court had jurisdiction over plaintiff's appeal under the Social Security Act.

HOLDINGS

1. Plaintiff adequately demonstrated that he was unable to pay the filing fee or give security, so the court granted his application to proceed in forma pauperis.
2. The complaint stated a claim upon which relief could be granted and could proceed past screening under 28 U.S.C. § 1915(e).
3. The court had jurisdiction over plaintiff's appeal from the Commissioner's denial of disability insurance benefits.

KEY QUOTATIONS

“To survive a motion to dismiss, a complaint must contain sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face.” (at 1)

“When a court dismisses a complaint under § 1915(e), the plaintiff should be given leave to amend the complaint with directions as to curing its deficiencies, unless it is clear from the face of the complaint that the deficiencies could not be cured by amendment.” (at 1)

FACTUAL BACKGROUND

Plaintiff receives approximately \$2,042 per month in disability benefits, has approximately \$1,200 in a USAA checking account, and reports monthly expenses of approximately \$2,200. He had not worked since 2023 and reported no current assets. The complaint challenged an unfavorable decision by the Commissioner denying his application for disability insurance benefits and alleged that the Administrative Law Judge's decision was unsupported by substantial evidence.

PROCEDURAL HISTORY

Hines filed a Social Security appeal in the District of Nevada, together with an application to proceed in forma pauperis. The court granted the application, screened the complaint under 28 U.S.C. § 1915(e), found that it stated a plausible claim for relief, and directed the clerk to file and serve the complaint on the Commissioner.

DISPOSITION

other

CASES CITED

- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Russell v. Landrieu*, 621 F.2d 1037, 1039 (9th Cir. 1980)
- *Cato v. United States*, 70 F.3d 1103, 1106 (9th Cir. 1995)

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