

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Luis B. v. Frank Bisignano, Commissioner of Social Security

Luis B. v. Bisignano, Case No. 3:25-cv-03484-AHG (S.D. Cal. Dec. 17, 2025) · No. 3:25-cv-03484-AHG ·
Decided December 17, 2025

SUMMARY

The United States District Court for the Southern District of California grants Luis B.'s motion to proceed in forma pauperis in his action seeking review of the denial of Social Security disability insurance benefits and Supplemental Security Income. The court finds that Plaintiff demonstrated inability to pay the filing fee and that his complaint satisfies the pleading requirements of the Supplemental Rules for Social Security Actions and survives screening under 28 U.S.C. § 1915(e)(2)(B).

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Allison H. Goddard
JURISDICTION	United States District Court for the Southern District of California
DECIDED	December 17, 2025
DOCKET	3:25-cv-03484-AHG
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff brought an action under 42 U.S.C. § 405(g) seeking judicial review of the Commissioner's final decision denying Social Security disability insurance benefits and Supplemental Security Income. Plaintiff moved to proceed in forma pauperis. The court granted the motion and screened the complaint under 28 U.S.C. § 1915(e)(2)(B).
STANDARD OF REVIEW	For in forma pauperis eligibility, the court evaluated whether Plaintiff adequately demonstrated indigence. For screening, the court applied 28 U.S.C. § 1915(e)(2)(B) and Federal Rules of Civil Procedure Supplemental Rule 2 for Social Security Actions under 42 U.S.C. § 405(g), determining whether the complaint was frivolous or malicious, failed to state a claim, sought monetary relief from an immune defendant, and satisfied the specified pleading requirements.
PRECEDENTIAL VALUE	Nonprecedential district court order

TOPICS

pleadings

service of process

civil procedure

administrative law

agency adjudication

PRACTICE AREAS

civil procedure

administrative law

Social Security judicial review

in forma pauperis proceedings

QUESTIONS PRESENTED

1. Whether Plaintiff demonstrated sufficient indigence to proceed without prepaying the \$405 civil filing fee under 28 U.S.C. § 1915(a).
2. Whether the complaint satisfied the mandatory screening requirements of 28 U.S.C. § 1915(e)(2)(B).
3. Whether the complaint satisfied the pleading requirements of Federal Rules of Civil Procedure Supplemental Rule 2 for Social Security actions under 42 U.S.C. § 405(g).
4. Whether service could be effected through electronic notice to the Social Security Administration's Office of General Counsel and the United States Attorney's Office under Supplemental Rule 3 and General Order 747.

HOLDINGS

1. Plaintiff sufficiently demonstrated an inability to pay the \$405 filing fee, so the court granted leave to proceed in forma pauperis.
2. A Social Security appeal filed under the in forma pauperis provisions is subject to mandatory screening under 28 U.S.C. § 1915(e)(2)(B).
3. Supplemental Rule 2, rather than inconsistent provisions of the Federal Rules of Civil Procedure, governs whether a complaint in a Social Security action under 42 U.S.C. § 405(g) sufficiently states a claim for relief.
4. The complaint survived screening because it satisfied Supplemental Rule 2(b), was not frivolous or malicious, and did not seek monetary relief from an immune defendant.

KEY QUOTATIONS

“1915(e) not only permits but requires a district court to dismiss an in forma pauperis complaint that fails to state a claim.” (at 3)

“Screening is required even if the plaintiff pursues an appeal of right, such as an appeal of the Commissioner's denial of social security disability benefits [under 42 U.S.C. 405(g)].” (at 4)

“Plaintiff's Complaint satisfies all pleading requirements of Rule 2(b) of the Supplemental Rules for Social Security Actions, and there is no indication that the Complaint is frivolous or malicious or seeks monetary relief from a defendant who is immune from such relief.” (at 5)

FACTUAL BACKGROUND

Plaintiff stated that he received approximately \$600 per month in general relief public assistance and \$181 per month in food stamps, with much of that income offset by the cost of staying in a hotel during the week because he was homeless. He had been unemployed for two years and had no funds in a checking or savings account. His complaint challenged the Commissioner's final denial of disability insurance benefits and Supplemental Security Income, asserting that the record lacked substantial medical or vocational evidence supporting the finding that he was not disabled.

PROCEDURAL HISTORY

On December 9, 2025, Luis B. filed a complaint challenging the Commissioner's final administrative decision and moved to proceed in forma pauperis. The court found that Plaintiff demonstrated inability to pay the filing fee and that the complaint satisfied the pleading requirements applicable to Social Security actions under Supplemental Rule 2. The complaint survived mandatory screening, and the court directed that electronic notice to the Social Security Administration and the United States Attorney's Office would serve in lieu of a summons.

DISPOSITION

other

CASES CITED

- *Lopez v. Smith*, 203 F.3d 1122, 1127, 1129 (9th Cir. 2000)
- *Adkins v. E.I. DuPont de Nemours & Co.*, 335 U.S. 331, 339-40 (1948)
- *Escobedo v. Applebees*, 787 F.3d 1226, 1234-36 (9th Cir. 2015)
- *Cal. Men's Colony v. Rowland*, 939 F.2d 854, 858 (9th Cir. 1991), rev'd on other grounds, 506 U.S. 194 (1993)
- *Venable v. Meyers*, 500 F.2d 1215, 1216 (9th Cir. 1974)
- *Hoagland v. Astrue*, No. 1:12-cv-00973-SMS, 2012 WL 2521753, at *1, *2-3 (E.D. Cal. June 28, 2012)
- *Calhoun v. Stahl*, 254 F.3d 845, 845 (9th Cir. 2001)
- *Jaime B. v. Saul*, No. 3:19-CV-02431-JLB, 2020 WL 1169671, at *3 (S.D. Cal. Mar. 10, 2020)
- *Detra H. v. Kijakazi*, No. 3:22-CV-01162-AHG, 2022 WL 4230547, at *2 (S.D. Cal. Aug. 10, 2022)