

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Tahera Blyther v. Frank J. Bisignano, Commissioner of Social Security

Blyther · No. 2:26-cv-01099 (BRM) · Decided February 12, 2026

SUMMARY

The United States District Court for the District of New Jersey grants Tahera Blyther’s application to proceed in forma pauperis in her action seeking review of the Commissioner of Social Security’s denial of Disability Insurance Benefits. The court concludes that the complaint satisfies the applicable Supplemental Rules for Social Security Actions and permits the claims to proceed, while directing the parties to file their respective answer and opening brief within 60 days of the Notice of Appeal.

CASE DETAILS

COURT	United States District Court for the District of New Jersey
WRITING FOR THE COURT	Brian R. Martinotti
JURISDICTION	United States District Court for the District of New Jersey
DECIDED	February 12, 2026
DOCKET	2:26-cv-01099 (BRM)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed an action under 42 U.S.C. § 405(g) seeking review of the Commissioner of Social Security's final decision denying Disability Insurance Benefits and applied to proceed in forma pauperis. The district court granted in forma pauperis status, screened the complaint under 28 U.S.C. § 1915(e)(2), and permitted the claims to proceed.
STANDARD OF REVIEW	At in forma pauperis screening, the court must dismiss a complaint that is frivolous, malicious, fails to state a claim, or seeks monetary relief from an immune defendant under 28 U.S.C. § 1915(e)(2)(B). For an action under 42 U.S.C. § 405(g), the complaint is treated as having an essentially appellate character and is governed by the Supplemental Rules for Social Security Actions rather than the ordinary Rule 12(b) (6) pleading standard.
PRECEDENTIAL VALUE	unpublished and nonprecedential
PARTIES	Tahera Blyther v. Frank J. Bisignano, Commissioner of Social Security

TOPICS

exhaustion of remedies

judicial review of agency action

pleadings

civil procedure

PRACTICE AREAS

Social Security

Administrative Law

Civil Procedure

QUESTIONS PRESENTED

1. Whether Plaintiff's complaint adequately pleaded an action for judicial review under 42 U.S.C. § 405(g) and the Supplemental Rules for Social Security Actions despite providing minimal factual detail.
2. Whether Plaintiff should be permitted to proceed in forma pauperis based on her financial circumstances.
3. Whether the complaint should survive screening under 28 U.S.C. § 1915(e)(2).

HOLDINGS

1. The appeal was procedurally proper because Plaintiff indicated that the Appeals Council denied review and attached the Appeals Council's determination, demonstrating completion of the required administrative review process.
2. The complaint satisfied the Supplemental Rules for Social Security Actions because it stated that the action was brought under § 405(g), identified the final decision to be reviewed, stated Plaintiff's name and county of residence, identified the wage-record claimant, and identified the type of benefits sought.
3. Plaintiff's application to proceed in forma pauperis was granted because her reported income, limited assets, expenses, and dependent daughter demonstrated that payment of filing fees would impose an undue hardship on her ability to pay for life's necessities.
4. The complaint was not subject to dismissal under 28 U.S.C. § 1915(e)(2), and Plaintiff's claims against the Commissioner were permitted to proceed.

KEY QUOTATIONS

“However, unlike a standard complaint, an SSA complaint has an “essentially appellate character,” and is not governed by Fed. R. Civ. P. 12(b)(6).”

“Her complaint therefore fulfills all the requirements under the supplemental rules and should be allowed to proceed.”

FACTUAL BACKGROUND

Plaintiff sought Social Security Disability Insurance benefits under Title II of the Social Security Act. The Appeals Council denied her request for review of the administrative decision, and Plaintiff attached that determination to her federal complaint. Although the complaint provided few details about her disability or the alleged agency errors, it identified the statutory basis for review, the final decision, her name and county of residence, and the type of benefits sought.

PROCEDURAL HISTORY

Plaintiff alleged that the Social Security Administration denied her application for Disability Insurance Benefits and attached the Appeals Council's denial of review. The district court found that the complaint identified the final decision, alleged exhaustion, stated the statutory basis for review, identified the claimant and county of residence, and identified the benefits sought. The court granted in forma pauperis status and directed the parties to file answers and opening briefs within sixty days of the Notice of Appeal.

DISPOSITION

other

REMAND INSTRUCTIONS

The parties were directed to file their respective answer and opening brief within sixty days of the Notice of Appeal. The opinion also stated that Plaintiff may file an amended complaint within thirty days to correct identified errors.

CASES CITED

- Cope v. Social Security Administration, 532 F. App'x 58, 60 (3d Cir. 2013)
- Phillips v. County of Allegheny, 515 F.3d 224, 228 (3d Cir. 2008)

OPINION

NOT FOR PUBLICATION UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY TAHERA BLYTHER, Plaintiff, Case No. 2:26-cv-01099 (BRM) v. OPINION FRANK J. BISIGNANO Commissioner Of Social Security, Defendants. MARTINOTTI, DISTRICT JUDGE Before the Court is Plaintiff Tahera Blyther's ("Plaintiff") complaint and application to proceed in forma pauperis. Based on Plaintiff's representation she has only \$2120.00 in monthly income, minimal assets, \$2,207 in monthly expenses, and a dependent daughter, the Court grants her motion to proceed in forma pauperis as the filing fees would place undue hardship on her ability to pay for the necessities of life.

Because the Plaintiff brings this action in forma pauperis, the Court has an obligation to screen the complaint under 28 U.S.C. § 1915(e)(2). In this action, Plaintiff appeals the final decision of the Commissioner ("Commissioner") of the Social Security Administration ("SSA") denying her application for Disability Insurance Benefits ("DIB") under Title II of the Social Security Act (the "Act"), 42 U.S.C. § 405(g).

(ECF No. 1). For the reasons stated below, Plaintiff's claims against the Commissioner will be allowed to proceed. Plaintiff may file an amended complaint within thirty (30) days to correct these errors for the case to proceed. Factual and Procedural Background.

In her eight-paragraph complaint, Plaintiff generally alleges that she is appealing from a final administrative decision denying her application for Social Security Disability Insurance benefits (“DIB”). Though the complaint does not affirmatively state whether Plaintiff had exhausted the available administrative remedies, it noted the appeal was brought pursuant to the SSA Appeals Council Notice her request for review had been denied.

(ECF No. 1 ¶ 2.) Plaintiff also attached, as Exhibit A, a copy of the Appeals Council’s determination. “To exhaust administrative remedies, a claimant must seek review by an Administrative Law Judge (ALJ) and then the Appeals Council.” *Cope v. Soc. Sec. Admin.*, 532 F. App’x 58, 60 (3d Cir. 2013) Therefore Plaintiff’s appeal is procedurally proper. Plaintiff alleges the SSA “committed error of law by denying Appeals Council review... or otherwise deny relief that was within the authority of the Council,” because “Plaintiff is disabled.” (ECF No. 1 ¶ 6.)

Plaintiffs provides no detail as to the nature of her disability, nor the specific errors committed by the Social Security Administration that would give Defendant and the Court notice of the nature of the appeal. (Id.) Legal Standard. 28 U.S.C. § 1915(e)(2)(B) requires the Court to review Plaintiff’s Complaints and dismiss sua sponte any claim that is frivolous, malicious, fails to state a claim upon which relief may be granted, or seeks monetary relief from a defendant who is immune from such relief.

In this case, the Court finds Plaintiff’s Complaint is proper and may proceed. A district court is “required to accept as true all factual allegations in the complaint and draw all inferences from the facts alleged in the light most favorable” to the Plaintiff. *Phillips*, 515 F.3d at 228.

However, unlike a standard complaint, an SSA complaint has an “essentially appellate character,” and is not governed by Fed. R. Civ. P. 12(b)(6). 42 U.S.C. § 405(g) advisory committee note. Instead, the Fed. R. Civ. P. provide that a complaint brought under 42 U.S.C. § 405(g) must: (a) state that the action is brought under § 405(g); (b) identify the final decision to be reviewed, including any identifying designation provided by the Commissioner with the final decision; (c) state the name and the county of residence of the person for whom benefits are claimed; (d) name the person on whose wage record benefits are claimed; (e) and state the type of benefits claimed.

Federal Rules of Civil Procedure's Supplemental Rules for Social Security Actions Under 42 U.S.C. § 405(g) (the “Supplemental Rules”) Rule 2(b)(1). The complaint may also “include a short and plain statement of the grounds for relief.” Supplemental Rule 2(b)(2). Analysis. Plaintiff’s complaint contains minimal factual allegations regarding the prior hearing beyond claiming she “is disabled,” and despite that the “agency committed error of law by denying review... [or other] relief.” (ECF No. 1 ¶ 6.)

However, the Supplemental Rules contain no requirement for the fulsome factual allegations required under 12(b)(6). Supplemental Rule 2(b)(1). Plaintiff does, however state the case is

brought under 42 U.S.C. 405(g). (ECF No. 1 ¶ 1). Identify, by attaching the relevant final decision by the Appeals Council, the relevant decision to be reviewed and that her administrative remedies had been exhausted.

(Id. Ex. A.) State her name and county of residence. (Id. ¶ 4.) And identify the type of benefits, Social Security Disability Insurance, sought by Plaintiff. (Id. ¶ 2.) Her complaint therefore fulfills all the requirements under the supplemental rules and should be allowed to proceed.

Accordingly, and for good cause appearing, IT IS on this 12th day of February 2026, ORDERED that Plaintiff's application to proceed IFP (ECF No. 1-2) is GRANTED; and the parties are directed to file their respective answer and opening brief within sixty (60) days of the Notice of Appeal (ECF No. 2.) Date: February 12, 2026 /s/ Brian R. Martinotti HON. BRIAN R. MARTINOTTI UNITED STATES DISTRICT JUDGE