

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Rachel Lydia Rand v. Commissioner, Social Security Administration

Civ. No. 3:26-cv-00819-AA (D. Or. Apr. 28, 2026) · No. 3:26-cv-00819-AA · Decided April 28, 2026

SUMMARY

The District of Oregon granted Rachel Lydia Rand’s application to proceed in forma pauperis but dismissed her complaint against the Social Security Administration under 28 U.S.C. § 1915(e)(2)(B). The court found that the complaint did not adequately explain the alleged delay in processing her Social Security disability claim, the resulting injuries, or the legal theory supporting liability. Dismissal was without prejudice, with leave to amend within 30 days.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                       |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the District of Oregon                                                                                                                                                                                                                                                               |
| WRITING FOR THE COURT | Ann Aiken                                                                                                                                                                                                                                                                                                             |
| JURISDICTION          | United States District Court for the District of Oregon                                                                                                                                                                                                                                                               |
| DECIDED               | April 28, 2026                                                                                                                                                                                                                                                                                                        |
| DOCKET                | 3:26-cv-00819-AA                                                                                                                                                                                                                                                                                                      |
| DISPOSITION           | dismissed                                                                                                                                                                                                                                                                                                             |
| PROCEDURAL POSTURE    | Plaintiff sought leave to proceed in forma pauperis in an action against the Commissioner of the Social Security Administration. The district court granted IFP status but screened and dismissed the complaint before service, allowing amendment.                                                                   |
| STANDARD OF REVIEW    | Under 28 U.S.C. § 1915(e)(2)(B), the court screens an IFP complaint and applies the same failure-to-state-a-claim standard used for a motion to dismiss under Federal Rule of Civil Procedure 12(b)(6). The court accepts well-pleaded factual allegations as true but need not accept unsupported legal conclusions. |
| PRECEDENTIAL VALUE    | Unknown; unpublished district court opinion and order with no reporter citation.                                                                                                                                                                                                                                      |
| PARTIES               | Rachel Lydia Rand v. Commissioner, Social Security Administration                                                                                                                                                                                                                                                     |

TOPICS

- motions to dismiss
- pleadings
- administrative procedure act
- administrative law
- civil procedure

## PRACTICE AREAS

Civil procedure

Administrative law

Social Security

## QUESTIONS PRESENTED

1. Whether the court could screen the complaint before service under the in forma pauperis statute.
2. Whether the complaint stated a plausible claim for relief against the Social Security Administration.
3. Whether the pro se plaintiff should be granted leave to amend after dismissal.

## HOLDINGS

1. A district court may screen an IFP complaint before service and must dismiss it if the complaint is frivolous, malicious, fails to state a claim, or seeks monetary relief from an immune defendant.
2. The complaint failed to state a cognizable claim because it did not explain how the alleged Social Security claim-processing delay caused the asserted injuries or under what legal theory the Social Security Administration was liable.
3. A pro se plaintiff whose complaint is deficient should generally receive notice of the deficiencies and an opportunity to amend unless the deficiencies cannot be cured by amendment.

## KEY QUOTATIONS

*“To survive a motion to dismiss under the federal pleading standards, the complaint must include a short and plain statement of the claim and “contain sufficient factual matter, accepted as true, to ‘state a claim for relief that is plausible on its face.’”*

*“The Complaint fails to state a cognizable claim and must be dismissed.”*

## FACTUAL BACKGROUND

Plaintiff alleged that delays in processing her Social Security Disability claims beginning March 7, 2025 caused additional trauma, which she attributed to a later arrest, potential loss of income, reputational harm, stress-induced ulcers, and loss of sleep. She alleged that Social Security Administration agents either lied to her or were uncoordinated. The complaint invoked the Administrative Procedure Act, 5 U.S.C. § 2000d, and Article VI of the Constitution, but did not explain a specific legal theory, discrimination, or how the alleged delay caused the claimed injuries.

## PROCEDURAL HISTORY

Rand filed an IFP petition and complaint alleging that delays in processing a Social Security Disability claim caused trauma and other injuries. The district court found the complaint failed to state a cognizable claim, granted the IFP petition, dismissed the complaint without service, and granted thirty days to amend.

## DISPOSITION

dismissed

## CASES CITED

- Watison v. Carter, 668 F.3d 1108, 1112 (9th Cir. 2012)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Haines v. Kerner, 404 U.S. 519, 520-21 (1972)
- Karim-Panahi v. Los Angeles Police Dep't, 839 F.2d 621, 623 (9th Cir. 1988)

## OPINION

Rand

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

RACHEL LYDIA RAND,

Civ. No. 3:26-cv-00819-AA Plaintiff,

v. OPINION & ORDER

COMMISSIONER SOCIAL SECURITY

ADMINISTRATION,

Defendant. \_\_\_\_\_ AIKEN, District Judge. Self-represented Plaintiff Rachel L. Rand seeks leave to proceed in forma pauperis (“IFP”) in this action. For the reasons set forth below, Plaintiff’s IFP Petition, ECF No. 1, is GRANTED. However, the Complaint, ECF No. 2, is DISMISSED with leave to amend.

## LEGAL STANDARD

Generally, all parties instituting any civil action in United States District Court must pay a statutory filing fee. 28 U.S.C. § 1914(a). However, the federal IFP statute, 28 U.S.C. § 1915(a)(1), provides indigent litigants an opportunity for meaningful access to federal courts despite their inability to pay the costs and fees associated with that access. To authorize a litigant to proceed IFP, a court must make two determinations. First, a court must determine whether the litigant is unable to pay the costs of commencing the action. 28 U.S.C. § 1915(a)(1). Second, it must assess whether the action is frivolous, malicious, fails to state a claim upon which relief may be granted, or seeks monetary relief from a defendant who is immune to such relief. 28 U.S.C. § 1915(e)(2)(B). With regard to the second of these determinations, district courts have the power under 28 U.S.C. § 1915(e)(2)(B) to screen complaints even before service of the complaint on the defendants and must dismiss a complaint if it fails to state a claim. Courts apply the same standard under 28 U.S.C. § 1915(e)(2)(B) as when addressing a motion to dismiss under Federal Rule of Civil Procedure 12(b)(6). Watison v. Carter, 668 F.3d 1108, 1112 (9th Cir. 2012). To survive a motion to dismiss under the federal pleading standards, the complaint must include a short and plain statement of the claim and “contain sufficient factual matter, accepted as true, to ‘state a claim for relief that is plausible on its face.’” Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009) (quoting

Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)). “A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged. The plausibility standard . . . asks for more than a sheer possibility that a defendant has acted unlawfully.” Id. The court is not required to accept legal conclusions, unsupported by alleged facts, as true. Id. Pro se pleadings are held to less stringent standards than pleadings by attorneys. Haines v. Kerner, 404 U.S. 519, 520-21 (1972). That is, the court should construe pleadings by pro se plaintiffs liberally and afford the plaintiffs the benefit of any doubt. Karim-Panahi v. Los Angeles Police Dep’t, 839 F.2d 621, 623 (9th Cir. 1988). Additionally, a pro se litigant is entitled to notice of the deficiencies in the complaint and the opportunity to amend, unless the complaint’s deficiencies cannot be cured by amendment. Id.

## DISCUSSION

When assessing an IFP petition, the Court first must determine whether the plaintiff has made a sufficient showing of indigency. Here, the Court is satisfied with Plaintiff’s showing of indigency, ECF No. 1, and the petition will be GRANTED. The Complaint cites the Administrative Procedures Act (5 U.S.C. §§ 551 et seq) (“APA”), 5 U.S.C. 2000d, and Article VI of the U.S. Constitution as the bases for Plaintiff’s federal question. Compl. at II. The Statement of the Claim is as follows: “‘Housing is Healthcare’: Stalls in my SSD claim(s) (March 7, 2025) based on Trauma (Section 12.5) were a cause of more trauma leading to my arrest October 30, 2025, having \$23.56 total in 9+ months, begging for TP and Dental floss etc....” Compl. at III. Plaintiff lists additional facts for the claim under “Relief”: “Severe trauma in summer of 2025 lead to stress induced ulcers, loss of sleep, potential loss of income, and damage to reputation. Punitive: SSA agents were either lying to me or were uncoordinated with their facts.” Compl. IV. Here, Defendant is the U.S. Social Security Administration (“SSA”). At best, the Complaint can be read as accusing SSA of a delay (“stalls”) in processing a Social Security Disability (SSD) claim, and that the delay led to (1) trauma; (2) arrest; (3) potential loss of income; (4) damage to reputation; and (5) medical issues, such as ulcers and loss of sleep. The Court cannot tell how the delay led to any of these pleaded injuries, nor under what theory Defendant is liable. Neither is it clear how the APA is at issue, nor the anti-discrimination provision of 5 U.S.C. 2000d (Plaintiff makes no mention of discrimination, nor any protected class), nor the Supremacy Clause of the U.S. Constitution. The Complaint fails to state a cognizable claim and must be dismissed. Because Plaintiff is self-represented, the Court will dismiss with leave to amend and allow Plaintiff thirty days in which to file an amended complaint. In drafting the amended complaint, Plaintiff should bear in mind that the Court does not know anything about her situation, other than what she includes in the amended complaint. Plaintiff should clearly and briefly explain what has happened, how she has been injured, and why she believes the named defendant should be held liable for the injury. Plaintiff is advised that failure to file an amended complaint within the allotted time will result in the entry of a judgment of dismissal without further notice.

## CONCLUSION

For the reasons set forth above, Plaintiff's IFP petition, ECF No. 1, is GRANTED but the Complaint, ECF No. 2, is DISMISSED with leave to amend within 30 days and without service on Defendants. It is so ORDERED and DATED this 28th day of April 2026. /s/Ann Aiken

ANN AIKEN

United States District Judge