#### PRO SE FILING

1. **Filing Fee:** Civil action filing fee is \$405.00 (\$350.00 filing fee

+\$55 administrative fee).

2. **In Forma Pauperis:** If you are unable to pay the filing fee, you may

petition the Court to allow you to file your Complaint

without prepayment of the filing fee. You must

complete, sign and submit the Application to Proceed in District Court without Prepaying Fees or Costs

(Form AO 240). It must accompany the Complaint.

3. **Cover Sheet:** A Civil Cover Sheet (Form JS 44) is required to be

completed, signed and submitted with your

documents.

4. **Complaint:** A Complaint must be filed along with the other

> documents outlined herein. You may use the form Complaint attached. You must sign your Complaint.

5. **Summons:** Please fill out Summons in a Civil Case (Form AO

> 440). Provide the original and one copy for each defendant to be served. The Clerk's Office will issue

the Summons and return them to you. You are responsible for the service of both your Complaint and Summons. You are also responsible for the

timely movement of your case once it has been filed.

The Civil Cover Sheet (Form JS-44) and Summons (Form AO 44) can be printed and used. Our Local Rules and additional forms are posted on our website at http://www.waed.uscourts.gov. Copies of the Local Rules and forms are also available by contacting the Clerk's Office at 509-458-3400.

It is very important that you give us a telephone number so the Court can contact you in the event it is necessary to obtain further information or clarification, or advise you of any changes in hearing schedules. If you do not provide us with a contact telephone number, the Court will not be responsible for untimely notification of emergency changes in hearing schedules.

## United States District Court Eastern District of Washington

(In	n the space above enter the full name of the plaintiff)	- Case No.			
	•	(To be filled out by Clerk's Office			
	-against-	only)			
CC	OMMISSIONER OF SOCIAL SECURITY				
CC	OMPLAINT FOR JUDICIAL REVIE	W OF SOCIAL SECURITY			
•	DECISION				
	NOTICE				
kno last	ntain: an individual's full social security number or full own to be a minor; or a complete financial account number tour digits of a social security number; the year of and the last four digits of a financial account number.	mber. A filing may include <i>only</i> : the individual's birth; a minor's initials;			
L <b>.</b>	Plaintiff is a resident of the County of The last four digits	and the State of			
	number are				
П.	Plaintiff complains that the Commissioner's final decision dated// adversely affects the plaintiff in whole or in part. Attached is the Commissioner's final decision notifying plaintiff of right to sue, which bears the following caption:				
	Name of Claimant	Claim for (Disability, Survivor's Benefits, Etc.)			
	Name of Wage Earner	Last four digits of Wage Earners Social Security Number			

III. Please check the type of claim you are filing. Claim Type For Clerk's Office Use Only Disability Insurance Benefits Claim (Title II) COA: 42:0405id NOS: 864 Supplemental Security Income Claim (Title XVI) COA: 42:1383 NOS: 863/864 Child Disability Claim COA: 42:0405wc NOS: 863 П Widow or Widower Claim COA: 42:0405ww NOS: 863 IV. Please check one of the three options below, whichever is applicable to your case and fill in the appropriate blanks: ☐ If you were granted disability benefits but you disagree with the ONSET DATE, check this box, complete this section and proceed to section V. Plaintiff was found disabled by the Social Security Administration on \_/\_\_\_/ \_\_. The plaintiff alleges that his/her disability began on /\_\_\_/ \_\_ (date of alleged onset of disabling condition).  $\square$  If you were granted disability benefits but these were LATER TERMINATED OR REDUCED, check this box, complete this section and proceed to section V. Plaintiff was found disabled by the Social Security Administration on \_\_\_/\_\_\_. This disability was found to have begun on \_\_\_/\_\_/ (date of disabling condition) and plaintiff was granted disability benefits which started on \_\_\_/\_\_/ (date of first payment). Subsequently, plaintiff's benefits were (circle one) terminated / reduced, effective \_\_\_/\_\_/ (date of termination or reduction in amount of payment). ☐ If your initial application for disability benefits was DENIED, check this box and proceed to section V. Following the Social Security Administration action identified in section IV above, V. plaintiff requested a hearing, and on \_\_\_/\_\_/ (date of hearing), a hearing was held before an Administrative Law Judge which resulted in a denial of plaintiff's claim on

\_\_/\_\_\_ (date of ALJ decision) or in a finding of a disability at a date later than

plaintiff's claimed date of disability.

Date: Print	with the Clerk's Office m  d  ed Name (Last, First, MI)	nay result in the dismissal	•				
	with the Clerk's Office m	nay result in the dismissal Plainti	of my case.				
	with the Clerk's Office m	nay result in the dismissal	of my case.				
Date	with the Clerk's Office m	nay result in the dismissal	of my case.				
	• •	•	•				
	• •	•	•				
	I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file						
VII.	Plaintiff has exhausted administrative remedies in this matter and this court has jurisdiction for judicial review pursuant to 42 U.S.C § 405(g) and/or 1383(c)(3).  WHEREFORE, plaintiff seeks judicial review by this court and the entry of a judgment for such relief as may be proper, including costs.  Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending or modifying existing law; (3) the factual contentions have evidentiarysupport or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.						
	Failure to attach a copy complaint being dismisse	of the decision of the App of the decision of the App ed for failure to exhaust y	peals Council may r your administrative	result in your remedies.			
	Plaintiff received the deci	sion from the Appeals Cou	nncil on//	<i></i> •			
	Date of decision:/_	_/	·				
	☐ REVERSED I	N PART					
	☐ AFFIRMED	•					
	the decision was (check o	ne):					

# UNITED STATES DISTRICT COURT for the

Eastern Disc	trict of Washington
•	
	)
	)
Plaintiff(s)	)
<b>v.</b>	Civil Action No.
	)
	) }
·	j
Defendant(s)	)
SUMMONS I	N A CIVIL ACTION
To: (Defendant's name and address)	,
	•
•	
A lawsuit has been filed against you.	
are the United States or a United States agency, or an offi	you (not counting the day you received it) — or 60 days if you icer or employee of the United States described in Fed. R. Civ. nswer to the attached complaint or a motion under Rule 12 of ion must be served on the plaintiff or plaintiff's attorney,
·	
	•
If you fail to respond, judgment by default will be You also must file your answer or motion with the court.	e entered against you for the relief demanded in the complaint.
•	
•	CLERK OF COURT
	•
Date:	Stoneture of Clark or Deputs Clark

Civil Action No.

#### PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (1))

	This summons for (name	of individual and title, if any)	·							
was r	eceived by me on (date)	·	-:							
	☐ I personally served th	e summons on the indiv	idual at <i>(place)</i>	•						
			on (date)	; or						
	☐ I left the summons at the individual's residence or usual place of abode with (name)									
	, a person of suitable age and discretion who resides there,									
	on (date), and mailed a copy to the individual's last known address; or									
	☐ I served the summons	On (name of individual)		, who is						
	designated by law to acc	designated by law to accept service of process on behalf of (name of organization)								
			on (date)	; or						
	☐ I returned the summor	s unexecuted because		; or						
•	Other (specify):	•		•						
	No. Con and									
	My fees are \$	for travel and \$	for services, for a total of	f\$ <u>0.00</u>						
	I declare under penalty of	perjury that this inform	ation is true.							
Date:		· · · · · · · · · · · · · · · · · · ·		·						
			Server's signature							
			Printed name and title							
•			Frintea name ana nue							
			Server's address							

Additional information regarding attempted service, etc:

#### **CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by logal rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the

purpose of initiating the civil do	cket sheet. (SEE INSTRUCT)	IONS ON NEXT PAGE O	F THIS FO	RM.)						
I. (a) PLAINTIFFS				DEFENDANTS						
(b) County of Residence of First Listed Plaintiff  (EXCEPT IN U.S. PLAINTIFF CASES)  (c) Attorneys (Firm Name, Address, and Telephone Number)				County of Residence of First Listed Defendant  (IN U.S. PLAINTIFF CASES ONLY)  NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.  Attorneys (If Known)						
	- Table		пі. Сі	TIZENSHIP C	TE PR	INCI	PAL PARTIES	Place an "X" in	One Box f	or Plaintif
II. BASIS OF JURISDI	CTION (Place an "X" in On	e Box Only)		(For Diversity Cases (	Only)			and One Box	for Defenda PTF	mt) DEF
☐ 1 U.S. Government Plaintiff	☐ 3 Federal Question (U.S. Government N	ot a Party)	Citiz	en of This State	PTF O 1				<b>0</b> 4	O 4
2 U.S. Government Defendant	4 Diversity (Indicate Citizenship	o of Parties in Item III)	Citiz	en of Another State	2	2 0		Principal Place Another State	<b>o</b> 5	O 5
				en or Subject of a reign Country	0 3		3 Foreign Nation		6	<u> </u>
IV. NATURE OF SUIT	(Place an "X" in One Box Onl	y	- T- 70.	ORFEITURE/PENAI	ו ייי	Cl	ick here for: Nature	of Suit Code D	escription STATUT	S. ES
CONTRACT  110 Insurance 120 Marine 130 Miller Act 140 Negotiable Instrument 150 Recovery of Overpayment & Enforcement of Judgment 151 Medicare Act 152 Recovery of Defaulted Student Loans (Excludes Veterans) 153 Recovery of Overpayment of Veteran's Benefits 160 Stockholders' Suits 190 Other Contract 195 Contract Product Liability 196 Franchise  REAL PROPERTY 210 Land Condemnation 220 Foreclosure 230 Rent Lease & Ejectment 240 Torts to Land 245 Tort Product Liability 290 All Other Real Property	PERSONAL INJURY    310 Airplane   315 Airplane Product   Liability   320 Assault, Libel &   Slander   330 Federal Employers'   Liability   340 Marine   345 Marine Product   Liability	PERSONAL INJUR  PERSONAL INJUR Product Liability  365 Personal Injury - Product Liability Product Liability Product Liability Product Liability Product Liability PERSONAL PROPE 370 Other Fraud 371 Truth in Lending 380 Other Fraud 371 Truth in Lending Property Damage Product Liability PERSONAL PROPE 370 Other Personal Property Damage Product Liability PRISONER PETITIC Habeas Corpus: 463 Alien Detainee 510 Motions to Vaca Sentence 530 General 535 Death Penalty Other: 540 Mandamus & Other: 540 Mandamus & Other: 540 Mandamus & Other: 540 Civil Rights 555 Prison Condition 560 Civil Detainee - Conditions of Confinement	RTY 0 6 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9	LABOR  10 Fair Labor Standard Act 10 Fair Labor Standard Act 10 Fair Labor Standard Act 10 Labor/Management Relations 10 Relations 10 Relations 11 Family and Medical Leave Act 120 Labor/Management Relations 120 Cither Labor Litigat 131 Employee Retiremed Income Security Act 132 Immigration App 14 Control of the Immigration Actions	ds t tion ent et	PRO B820 C B830 P B835 P SOCI B61 H B62 B B63 L B64 S B65 F FED B70 1 B71 1	ppeal 28 USC 158 Vithdrawal 8 USC 157 PERTY RIGHTS Copyrights	375 False C   376 Qui Ta 3729(i	Claims Act m (31 USC n)) Leapportions st and Bankin erce tation leer Influence torganizat mer Credit tone Consult tion Act Sat TV ties/Common stratutory Act structural Acts commental M com of Information nistrative Preview or Ap cy Decision	ment  ced and tions  mer  odities/ ctions  fatters mation  rocedure ppeal of
	emoved from	Remanded from Appellate Court atute under which you	Re	opened	Transfe Another (specify)	r Distric	t Litigat Transf	ion -	8 Multid Litigat Direct I	ion -
VI. CAUSE OF ACTI									·	
VII. REQUESTED IN	CHECK IF THIS UNDER RULE 2	S IS A CLASS ACTION	ON	DEMAND \$			CHECK YES of JURY DEMAN			
COMPLAINT: VIII. RELATED CAS						D/\	CKET NUMBER			
IF ANY		JUDGE SIGNATURE OF A	ATTORNE	OF RECORD			- TOWNER			
DATE										
FOR OFFICE USE ONLY		ADDI VING IE	TD	л	JDGE		MAG.	JUDGE		
RECEIPT #	AMOUNT .	APPLYING IF	<u> </u>				<del></del>			

#### INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

#### **Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants. Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
  - (b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
  - (c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction. The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

  United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

  Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

  Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; NOTE: federal question actions take precedence over diversity
- III. Residence (citizenship) of Principal Parties. This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit. Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: Nature of Suit Code Descriptions.
- V. Origin. Place an "X" in one of the seven boxes.
  - Original Proceedings. (1) Cases which originate in the United States district courts.
  - Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.

    Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date
  - Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

    Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
  - Multidistrict Litigation Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
  - Multidistrict Litigation Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket. PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statue.
- VI. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause. Do not cite jurisdictional statutes unless diversity. Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.

  Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.

  Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases. This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.
- Date and Attorney Signature. Date and sign the civil cover sheet.

### UNITED STATES DISTRICT COURT

for the

Easte	Eastern District of Washington			
Plaintiff/Petitioner v.				
Defendant/Respondent	)			

### APPLICATION TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING FEES OR COSTS (Short Form)

I am a plaintiff or petitioner in this case and declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief requested.

In support of this application, I answer the following	g questions under pe	nalty of perjury:	
1. If incarcerated. I am being held at:  If employed there, or have an account in the institution, I ha appropriate institutional officer showing all receipts, expending institutional account in my name. I am also submitting a sin incarcerated during the last six months.	litures, and balances	during the last six mont	hs for any
2. If not incarcerated.  (a) Are you currently employed? Yes  (b) If "Yes", list your current employer's name and	No address:		
My gross pay or wages are: \$, and my (specify pay period)	take-home pay or v	vages are: \$	per
3. Other Income. In the past 12 months, I have received	ived income from th	e following sources (chec	k all that apply):
(a) Business, profession, or other self-employment	Yes	No	
(b) Rent payments, interest, or dividends	Yes	No	
(c) Pension, annuity, or life insurance payments	Yes	No	
(d) Disability, or worker's compensation payments	Yes	No	
(e) Gifts, or inheritances	Yes	No	
(f) Any other sources	☐ Yes	No	

If you answered "Yes" to any question above, describe below or on separate pages each source of money and state the amount that you received and what you expect to receive in the future.