



Rojas Torres v. Commissioner of Social Security

2013 | Cited 0 times | M.D. Florida | March 8, 2013

UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF FLORIDA

OCALA DIVISION RUTH E. ROJAS TORRES, Plaintiff, v. Case No: 5:12-CV-531-Oc-18PRL
COMMISSIONER OF SOCIAL SECURITY Defendant.

ORDER This matter is before the Court on Defendant's Motion to Strike Plaintiff's Complaint (Doc. 11) filed January 30, 2013. Plaintiff has not filed a response and her time for doing so has passed.

On September 24, 2012, Plaintiff filed a pro se handwritten Complaint appealing the Commissioner's denial of her application for disability benefits. Plaintiff captioned the Complaint in her name, signed it, and provided her address and phone number. However, in the body of the Complaint, an individual who identifies himself as "Juan J. Munoz," refers to Plaintiff in the third person and states that she is appealing the decision because she disagrees with it. He further states that Plaintiff seeks reconsideration of the Commissioner's decision because she experiences pain, headaches, and nervousness. Mr. Munoz provides his contact information and a brief summary of the financial assistance he has provided Plaintiff.

Although the Commissioner concedes that Plaintiff exhausted her administrative remedies and timely filed her Complaint, he moves to strike the Complaint because Mr. Munoz is neither a party to this case, nor an attorney representing Plaintiff; thus, he may not participate in litigation of their own permits or as counsels 19, 2010 these per Mr. Mun

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Complaint (March 28, 2013) would result in

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