

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

MAY - 6 2014

Clerk, U.S. District and
Bankruptcy Courts

MELVIN JONES,

Plaintiff,

v.

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

Civil Action No.

14-864

MEMORANDUM OPINION

This matter is before the Court on the plaintiff's application to proceed *in forma pauperis* and his *pro se* complaint. The Court will grant the application and dismiss the complaint.

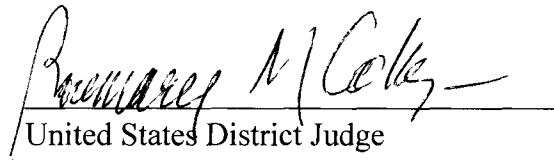
The plaintiff seeks review of an unfavorable decision rendered by an administrative law judge of the Social Security Administration on July 16, 2012 regarding his May 2005 application for supplemental security income benefits alleging disability since February 1, 2004. *See* Compl. at 1; *see id.*, Attach. (Decision dated July 16, 2012 at 1). This is not the plaintiff's first challenge to the denial of his May 2005 application for disability benefits. *See Jones v. Astrue*, 654 F. Supp. 2d 37 (D.D.C. 2009) (granting judgment of affirmance on denial of plaintiff's May 31, 2005 application), *rev'd*, 647 F.3d 350 (D.C. Cir. 2011) (reversing district court judgment and remanding case with instructions to remand to the Commissioner of Social for further proceedings). The July 16, 2012 decision is the product of the administrative proceedings on remand. *See Jones v. Comm'r of Soc. Sec.*, No. 13-5149, 2013 WL 5975969, at *1 (D.C. Cir.

Oct. 24, 2013) (per curiam) (“To the extent appellant is seeking to compel the Administrative Law Judge . . . to take action on remand, his request was mooted by the ALJ’s July 16, 2012 decision.”), *cert. denied sub nom. Jones v. Colvin*, 134 S. Ct. 1520 (2014). It appears that the plaintiff’s administrative appeal of the decision remains pending, and the Court accepts the defendant’s representation that the agency will revive the prior civil action when administrative proceedings are complete. *See* Order, *Jones v. Astrue*, No. 12-cv-1458 (D.D.C. filed May 2, 2013).

The Court finds that the instant action is duplicative, and, accordingly, it will be dismissed without prejudice. An Order accompanies this Memorandum Opinion.

DATE:

1 May 2014


United States District Judge