

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Kenneth Stropp,

Plaintiff,

v

**Michael J. Astrue, Commissioner, Social
Security Administration *et al.*,**

Defendants.

Civil Action No. 08-123 (HHK)

ORDER DISMISSING CASE

On March 2, 2009, the defendants filed a motion to dismiss plaintiff's third amended complaint, asserting that the plaintiff did not exhaust his administrative appeals before filing this case. Defendants' assertions were supported by affidavits and relevant documents. On March 5, 2009, the Court issued an order advising plaintiff of his obligation to respond and informing plaintiff that if he did not respond by April 9, 2009, the motion may be granted as conceded. Upon motion from plaintiff, an extension of time to respond was granted, making May 5, 2009 the revised deadline for plaintiff's response. Plaintiff has not filed a response or sought an additional extension of time. Accordingly, it is hereby

ORDERED that plaintiff's motion to dismiss is GRANTED as conceded, and this case is DISMISSED without prejudice.

This is a final, appealable order. *See* Fed. R. App. P. 4.

Date: July 2, 2009

HENRY H. KENNEDY, JR.
United States District Judge