UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

JIMMIE D. ROSS PAMELA A. ROSS,

Plaintiffs,

v.

Civil Action 06-01774 (HHK)

UNITED STATES,

Defendant.

MEMORANDUM OPINION

Before the court is the United States' motion to dismiss plaintiffs' complaint for lack of jurisdiction or, in the alternative, for failure to state a claim upon which relief can be granted. Upon consideration of the motion, the opposition thereto, and the record of this case, the court concludes that plaintiffs have failed to exhaust their administrative remedies and therefore have failed to state a claim upon which relief can be granted. *See Wesselman v. United States*, __ F. Supp. 2d. __, 2007 WL 2269835, at *2 (D.D.C. Aug. 9, 2007) (dismissing nearly identical complaint and collecting cases). An appropriate order of dismissal accompanies this memorandum.

Henry H. Kennedy, Jr. United States District Judge

Dated: August 31, 2007