

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

MIHRETU BULTI DASISA,

Plaintiff,

v.

HOWARD UNIV. BD. OF EDUC.,

Defendant.

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Civil Action No. 06-2142 (RCL)

MEMORANDUM

This matter is before the Court on the Report and Recommendation filed by Magistrate Judge Deborah A. Robinson on March 1, 2010. The 14-day period during which the parties may file objections to the Report and Recommendation has expired, *see* Local Civil Rule 72.3(b), and neither party has filed objections.

The plaintiff, Mihretu Bulti Dasisa, submitted this *pro se* complaint for filing in November 2006. Naming Howard University Board of Education as the sole defendant, the complaint alleges that events occurring on or about 1998-99 gave rise to claims of discrimination under Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 *et seq.*, and a breach of “educational degree contract.” Compl. at 3; *see also id.* at 2, 5. The defendant moved to dismiss the complaint because any claim arising from the events alleged is barred by the applicable three-year limitations period, *see* D.C. Code § 12-301(8), and because it failed to state a claim under Title IX upon which relief could be granted, as there was no allegation of gender discrimination, the only cognizable discrimination under Title IX. The plaintiff filed an opposition, an amended opposition and a sur-reply, but did not present evidence to show that his claims were not time-

barred, that he was alleging discrimination within the ambit of any federal statute, or that he had a contractual relationship with the defendant. Accordingly, Magistrate Judge Robinson recommended granting the defendant's motion to dismiss the complaint for failure to state a claim upon which relief may be granted. After consideration of the Report and Recommendation of Magistrate Judge Deborah A. Robinson, the absence of any party's objection thereto, the entire record before the Court and the applicable law, the Court will adopt Magistrate Judge Robinson's Report and Recommendation and dismiss the complaint for failure to state a claim upon which relief may be granted.

A separate final order accompanies this memorandum.

DATE: March 22, 2010

/s/
ROYCE C. LAMBERTH
Chief Judge