

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

JAIME CARVAJAL,	:		
	:		
Plaintiff,	:	Civil Action No.:	06-2265 (RMU)
	:		
v.	:	Re Document No.:	10
	:		
DRUG ENFORCEMENT AGENCY <i>et al.</i> ,	:		
	:		
Defendants.	:		

**MEMORANDUM OPINION**

**GRANTING THE DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

On December 29, 2006, the *pro se* plaintiff filed suit against the defendants in the above-captioned matter, asserting that the defendants had withheld material that he was entitled to receive under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552. *See generally* Compl. On November 25, 2008,<sup>1</sup> the defendants filed a motion for summary judgment, urging the court to dismiss the case because (1) the first named defendant, the Drug Enforcement Agency, properly withheld the requested documentation from release under several exemptions established in FOIA; (2) the second, third, fourth and fifth named defendants (the Federal Bureau of Investigation, the Internal Revenue Service, the Department of the Treasury, and the Bureau of Alcohol, Tobacco, Firearms and Explosives) were not sent any FOIA requests; (3) the sixth named defendant, the Attorney General, is not a proper defendant to this action; and (4) there is no such entity as the "Freedom of Information/Privacy Agency for the United States," the last

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<sup>1</sup> The defendants then filed a notice on December 31, 2008, indicating that the plaintiff's copy of the defendants' motion for summary judgment had initially been returned as undeliverable, and that another copy of the motion was served on the plaintiff at his new address. Notice (Dec. 31, 2008).

named defendant.<sup>2</sup> *See generally* Defs.’ Mot. for Summ. J.

Because the plaintiff failed to oppose the defendants’ motion for summary judgment, the court issued an order on May 7, 2009, directing the plaintiff to respond to the motion on or before May 18, 2009, and warning him that failure to do so could result in the court granting the motion and entering judgment in favor of the defendants. Order (May 7, 2009). To date, the plaintiff has failed to oppose the defendants’ motion. Accordingly, pursuant to Local Civil Rule 7(b), the court treats the defendants’ motion for summary judgment as conceded and grants the motion. An Order consistent with this Memorandum Opinion is separately and contemporaneously issued this 10th day of June, 2009.

RICARDO M. URBINA  
United States District Judge

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<sup>2</sup> The defendants’ motion also advised the plaintiff to “take notice that any factual assertions contained in the declarations and other attachments in support of defendants’ motion will be accepted by the Court as true unless plaintiff submits his own declarations or other documentary evidence contradicting the assertions in the defendants’ attachments.” Defs.’ Mot. at 1.