

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

LISA LYONS WARD,	:		
	:		
Plaintiff,	:	Civil Action No.:	08-2040 (RMU)
	:		
v.	:	Re Document No.:	28
	:		
ROBERT M. GATES., <i>et al.</i> ,	:		
	:		
Defendants.	:		

MEMORANDUM OPINION

GRANTING AS CONCEDED THE DEFENDANTS' MOTION TO DISMISS

In November 2008, the *pro se* plaintiff¹ filed a complaint alleging that the defendants had committed various violations of 42 U.S.C. § 1983. *See generally* Compl. On March 18, 2010, the defendants filed a motion to dismiss, arguing that the plaintiff's complaint was untimely under the controlling statute of limitations. Defs.' Mot. at 11.

Shortly thereafter, the court advised the plaintiff of her obligation to file an opposition to the motion by April 23, 2010, and alerted her to the possibility that the defendant's motion would be treated as conceded if she failed to file such an opposition. *See* Minute Order (Mar. 24, 2010). On three occasions, the court granted the plaintiff an extension of time to file her opposition. *See* Minute Order (Apr. 28, 2010), Minute Order (June 1, 2010), and Minute Order (June 28, 2010). The court further notes that the plaintiff's most recent motion for an extension of time was filed on June 24, 2010, the day *after* her opposition was originally due. *See* Pl.'s Mot. for Extension (June 24, 2010). Nevertheless, the court granted this enlargement of time,

¹ The court notes that although the plaintiff is *pro se*, she represents that she is a practicing attorney. Compl. ¶ 7.

and advised the plaintiff that no further extensions of time would be granted absent extraordinary circumstances. *See* Minute Order (June 28, 2010).

The latest deadline, June 28, 2010, has long-since passed, and the plaintiff still has not filed her opposition.² Accordingly, the court grants the defendants' motion to dismiss as conceded. *See Twelve John Does v. Dist. of Columbia*, 117 F.3d 571, 577 (D.C. Cir. 1997) (noting that a district court acts within its power in relying on the absence of a response as a basis for treating a motion as conceded); LCvR 7(b) (stating that the court may treat a motion as conceded if an opposition is not filed within the prescribed time).

An Order consistent with this Memorandum Opinion is separately and contemporaneously issued this 10th day of January, 2011.

RICARDO M. URBINA
United States District Judge

² On June 28, 2010, the plaintiff filed a supplemental motion for enlargement of time, asking for another extension of time to July 7, 2010. *See* Pl.'s Supp. Mot. Nevertheless, the plaintiff failed to file an opposition by this date as well.