

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

ERNEST L. DIXON,

Plaintiff,

SOCIAL SECURITY
ADMINISTRATION,

Defendant.

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Civil Action No.: 10-1499 (RMU

Re Document No. : 3

MEMORANDUM OPINION

GRANTING THE DEFENDANT’S MOTION TO DISMISS AS CONCEDED

This matter is before the court on the defendant’s motion to dismiss. On September 3, 2010, the *pro se* plaintiff filed a handwritten one-page complaint stating that he

is suing the Social Security Administration Office on M-Street NW in Washington D.C. for the amount of \$999,000,000,000,000.00 for not retroacting [sic] my social security check as instructed[.] Also I am suing the said for \$999,000,000,000,000.00 for punitive damages.

Compl. at 1.

On November 2, 2010, the defendant filed a motion to dismiss the plaintiff’s complaint. *See generally* Def.’s Mot. to Dismiss. The same day, the court issued a *Fox-Neal* order directing the plaintiff to respond to the pending motion to dismiss by November 22, 2010 and advising the plaintiff that his failure to respond to the motion could result in the court deeming the matter conceded. Order (Nov. 1, 2010).

To date, the plaintiff has not responded to the motion to dismiss. His failure to do so permits the court to treat the motion as conceded. *Fox v. Am. Airlines, Inc.*, 389 F.3d 1291, 1294-95 (D.C. Cir. 2004). Accordingly, the court grants the defendant’s motion to dismiss. An

Order consistent with this Memorandum Opinion is separately and contemporaneously issued
this 30th day of November, 2010.

RICARDO M. URBINA
United States District Judge