

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

JERVON HERBIN,

Plaintiff,

v.

SHAWNITA WILKINS SEAU,

Defendant.

Civil Action No. 17-1136 (RDM)

MEMORANDUM OPINION

On July 11, 2018, the Court denied Plaintiff's motions for default judgment based on the likely absence of subject matter jurisdiction and serious reservations about the merits of Plaintiff's claims. In particular, the Court indicated that Plaintiff had not established that this case could proceed under the Court's diversity jurisdiction, and it was unlikely to enter a judgment of default against the Defendant because of concerns surrounding "the size of the award that Herbin has requested, the fact that he has not provided any evidence in support of his claims, and serious questions about whether a binding contractual relationship was ever formed." Dkt. 19 at 7. The Court also questioned whether it has personal jurisdiction over the Defendant. *Id.* at 6.

In December 2019, the Court gave "the Plaintiff additional -- if limited -- time to present any evidence in his possession in support of his claims" and directed Plaintiff to submit additional evidence to the Court on or before February 4, 2019. *See* Minute Order (Dec. 19, 2018). Plaintiff did not do so. Then, on May 6, 2019, the Court informed Plaintiff that, "absent the submission of additional evidence on or before June 5, 2019, the Court will dismiss this action" on one of these grounds. *See* Minute Order (May 6, 2019). That deadline has passed, and the Court has received no further submission from Plaintiff.

Because Plaintiff has had multiple opportunities to substantiate or to supplement his claims regarding subject matter jurisdiction, personal jurisdiction, and the merits of his case, but has not done so, the Court will dismiss this case without prejudice pursuant to the Court's May 6, 2019 Minute Order.

A separate Order will issue.

/s/ Randolph D. Moss
RANDOLPH D. MOSS
United States District Judge

Date: July 12, 2019