

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

BABOUCAR TAAL,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 19-3079 (RC)
	)	
	)	
FEDERAL ELECTION	)	
COMMISSION,	)	
	)	
Defendant.	)	

**MEMORANDUM OPINION**

Plaintiff, appearing *pro se*, sues the Federal Election Commission (“FEC”), which dismissed his administrative complaint alleging that a bank in New Hampshire had violated the Federal Election Campaign Act, 52 U.S.C. §§ 30101-30126. *See* Compl. ¶ 1, ECF No. 1 (alleging that the bank “engaged in illegal campaign contributions to a series of candidates for both state and federal offices, in a patronage system as far back as the 1990s and in relevant time and pertinent campaign(s) that of the then outgoing chairman of St Mary’s, for Governor and United States Senate.”); Compl. Attach. (FEC Decision). Pending before the Court is Defendant’s Motion to Dismiss under Federal Rule of Civil Procedure 12(b)(1) for lack of subject matter jurisdiction and Rule 12(b)(6) for failure to state a claim upon which relief may be granted. Mot. to Dismiss, ECF No. 13. Plaintiff has neither complied with the order to respond to the instant motion by the extended deadline of October 16, 2020, *see* ECF No. 18, nor requested additional time to respond. For the following reasons, defendant’s motion will be granted.

“Before proceeding to the merits of a case, the court must confirm that it has Article III jurisdiction.” *Lovitky v. Trump*, 949 F.3d 753, 758 (D.C. Cir. 2020). By his silence, plaintiff has conceded defendant’s valid argument that he lacks standing to sue. *See* Mem. at 15-21; Order, ECF No. 15 (noting that defendant’s unopposed arguments may be treated as conceded). Because the “defect of standing is a defect in subject matter jurisdiction,” *Haase v. Sessions*, 835 F.2d 902, 906 (D.C. Cir. 1987), the Court has “no appropriate occasion” to assess the merits of plaintiff’s claims under Rule 12(b)(6), *Lovitky*, 949 F.3d at 763. Therefore, this case will be dismissed. A separate order accompanies this Memorandum Opinion.

/s/  
\_\_\_\_\_  
RUDOLPH CONTRERAS  
United States District Judge

Date: October 29, 2020