

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

SAMANTHA ELIZABETH BRAGG,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 20-213 (EGS)
	)	
CENTRAL INTELLIGENCE AGENCY,	)	
	)	
Defendant.	)	
	)	

**MEMORANDUM OPINION**

Plaintiff filed this action under the Freedom of Information Act (“FOIA”), seeking records from the Central Intelligence Agency. Pending before the Court is Defendant’s Motion to Dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6), ECF No. 8. For the following reasons, the motion will be granted.

Defendant contends that Plaintiff failed to exhaust her administrative remedies before filing this lawsuit, which “can be a substantive ground for rejecting a FOIA claim in litigation.” *Bayala v. United States Dep’t of Homeland Sec., Office of Gen. Counsel*, 827 F.3d 31, 35 (D.C. Cir. 2016). Plaintiff, who is appearing *pro se*, has not complied with the Court’s Order to respond to Defendant’s motion by June 1, 2020, ECF No. 9, nor has she requested additional time to comply. As stated in the Order, the Court therefore finds that Plaintiff has conceded Defendant’s exhaustion defense and grants its motion to dismiss. A separate order accompanies this Memorandum Opinion.

SIGNED: EMMET G. SULLIVAN  
UNITED STATES DISTRICT JUDGE

Date: October 5, 2020