

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

MONA RAMZI,

Plaintiff,

v.

ANTONY BLINKEN *et. al.*,

Defendants.

Civil Action No. 23-cv-1696 (TSC)

MEMORANDUM OPINION

Plaintiff Mona Ramzi seeks a writ of mandamus against Antony Blinken, in his official capacity as United States Secretary of State, as well as other United States Government officials, to compel action on her Diversity Visa Lottery application. *See* Compl., ECF No. 1. On August 21, 2023, Defendants moved to dismiss this action pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), and Plaintiff has failed to respond to the motion within fourteen days, as required under Local Civil Rule 7(b). Thus, the court will exercise its discretion, treat the motion as conceded, and dismiss the Complaint without prejudice.

If a party fails to oppose a motion to dismiss, “the Court may treat the motion as conceded.” Local Civ. R. 7(b). This case presents a “straightforward” example of that failure. *Cohen v. Bd. of Trustees of the Univ. of the D.C.*, 819 F.3d 476 (D.C. Cir. 2016) (quoting *Fox v. Am. Airlines, Inc.*, 389 F.3d 1291, 1294 (D.C. Cir. 2004)). Plaintiff’s opposition was due on September 4, 2023, but she has “failed to respond *at all* to the motion to dismiss” or otherwise remedy that failure by seeking an extension or leave to late file. *Id.* at 483–84. That alone warrants dismissal. *Id.* at 483. However, conscious of “the clear preference of the Federal Rules to resolve disputes on their merits,” *id.* at 482, the dismissal will be without prejudice.

A corresponding Order will accompany this Memorandum Opinion.

Date: September 13, 2023

Tanya S. Chutkan

TANYA S. CHUTKAN
United States District Judge