

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ASA GORDON, pro se,

Plaintiff,

v.

NATIONAL ARCHIVES AND
RECORDS ADMINISTRATION, *et al.*,

Defendants.

Civil Case No. 16-2458 (RJL)

FILED

JAN 26 2017

Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

ORDER

January 25th, 2017 [Dkt. # 9]

Pending in this case is the government defendants' motion to dismiss under Fed. R. Civ. P. 12(b)(6). Upon consideration of Plaintiff's Consent Motion for Enlargement of Time to respond to the government's Motion to Dismiss [Dkt. #9], the Court hereby GRANTS that Motion and further advises the *pro se* plaintiff of his obligations under the Federal Rules of Civil Procedure and the local civil rules of this Court. *See Neal v. Kelly*, 963 F.2d 453, 456 (D.C. Cir. 1992); *Fox v. Strickland*, 837 F.2d 507, 509 (D.C. Cir. 1988).

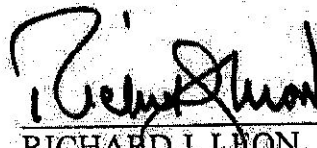
In *Fox v. Strickland*, 837 F.2d 507 (D.C. Cir. 1988), the Court of Appeals held that a district court must take pains to advise a *pro se* party of the consequences of failing to respond to a dispositive motion. "That notice . . . should include an explanation that the

failure to respond . . . may result in the district court granting the motion and dismissing the case.” *Id.* at 509. Furthermore, the Court may treat as conceded any unopposed arguments defendants have advanced in support of their dispositive motion. *See Hopkins v. Women's Div., General Bd. of Global Ministries*, 284 F.Supp.2d 15, 25 (D.D.C. 2003), *aff'd*, 98 Fed.Appx. 8 (D.C. Cir. 2004) (citing *FDIC v. Bender*, 127 F.3d 58, 67-68 (D.C. Cir. 1997) (other citation omitted)).

Accordingly, it is

ORDERED that plaintiff may have his requested extension to oppose to the defendants’ motion to dismiss. Plaintiff shall respond by **February 10, 2017**, or the Court will treat defendants’ motion as conceded and may summarily dismiss the case.

SO ORDERED.

A handwritten signature in black ink, appearing to read "Richard J. Leon", is written over a horizontal line.

RICHARD J. LEON
United States District Judge