

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JOHN H. PAGE,

Plaintiff,

v.

DONALD J. TRUMP, in his official capacity
as President of the United States,

Defendant.

Case No. 20-cv-104 (CRC)

ORDER

This matter is before the Court on Defendant’s Motion to Dismiss under Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure. Because consideration of this motion could result in dismissal of the case, Plaintiff, proceeding *pro se*, is advised that under the Federal Rules of Civil Procedure and the local rules of this Court, the Court may grant the pending motion and dismiss the case if Plaintiff fails to respond within the time provided.

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. In addition, the Court’s local rules concerning dispositive motions state: “Within 14 days of the date of service or as such other time as the court may direct, an opposing party shall serve and file a memorandum of points and authorities in opposition to the motion [or] the court may treat the motion as conceded.” Local Civil Rule 7(b). Furthermore, “when a [party] files an opposition to a dispositive motion and addresses only certain arguments raised by the [movant], a court may treat those arguments that the [party] failed to address as conceded.” Hopkins v. Women’s Div., General Bd. of Global Ministries, 284 F. Supp. 2d 15, 25 (D.D.C. 2003), aff’d, 98 F. App’x 8 (D.C. Cir.

2004) (citing FDIC v. Bender, 127 F.3d 58, 67-68 (D.C. Cir. 1997)) (other citation omitted).

It is hereby

ORDERED that Plaintiff shall respond to Defendant's Motion to Dismiss by **May 22, 2020**.

If Plaintiff does not file a response within the time provided, the Court will treat the motion as conceded and may summarily dismiss the case.

SO ORDERED.

CHRISTOPHER R. COOPER
United States District Judge

Date: May 8, 2020