

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Felix Castro,

Plaintiff,

v.

**Bureau of Alcohol, Tobacco, Firearms, and
Explosives,**

Defendant.

Civil Action No. 11-2197 (JDB)

MEMORANDUM OPINION

In this action brought *pro se* under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, plaintiff sought records from the Bureau of Alcohol, Tobacco, Firearms, and Explosives pertaining to him and DNA analysis of a weapon. *See* Def.’s Statement of Material Facts As to Which There is No Genuine Dispute [Dkt. # 10] ¶ 1. On February 10, 2012, defendant moved for summary judgment under Federal Rule of Civil Procedure 56 based on its full release to plaintiff of “the only document it located that was responsive to Plaintiff’s FOIA request.” *Id.* ¶ 11.

By Order of February 21, 2012, plaintiff was directed to respond by March 27, 2012, to defendant’s motion or risk entry of judgment for defendant. Plaintiff has not responded to the motion and, thus, has not disputed defendant’s fact establishing its compliance with the FOIA by disclosing all responsive records. Hence, the Court will grant defendant’s motion for summary

judgment and enter judgment accordingly.¹ A separate Order accompanies this Memorandum Opinion.

DATE: May 2, 2012

s/

JOHN D. BATES
United States District Judge

¹ See *In re Miller*, No. 03-7146, 2004 WL 963819 (D.C. Cir. May 4, 2004) (In managing its docket under the circumstances presented, “the court may choose to . . . resolve the motion for summary judgment on the merits without an opposition . . . or [] treat summary judgment as conceded.”)