

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

MERCY OLUMOYA

Plaintiff

v.

PRINCE GEORGE'S COUNTY
PUBLIC SCHOOLS

Defendant

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Civil Action No. **PJM 08-1769**

MEMORANDUM OPINION

Plaintiff Mercy Olumoya filed a Complaint in this Court on July 7, 2008, alleging employment discrimination in violation of Title VII of the Civil Rights Act and the Age Discrimination in Employment Act. On August 21, 2009, Defendant Prince George's County Public Schools ("PGCPS") filed a Motion for Summary Judgment [Paper No. 22]. For the following reasons, Defendant's Motion for Summary Judgment is **GRANTED**.

On July 31, 2009, PGCPS submitted Requests for Admissions to Olumoya. Pursuant to Rule 36(a)(3) of the Federal Rules of Civil Procedure, she was required to respond within 30 days. She has not yet responded. According to the Rule, her failure to timely respond results in all Requests for Admission being admitted. Significantly, Olumoya has admitted that she has not identified any incident of racial discrimination nor has she engaged in any protected union activities, which form the basis of her retaliation claim.¹

In addition to failing to respond to PGCPS's Requests for Admissions, Olumoya has also failed to respond to its Motion for Summary Judgment, which was due September 8, 2009.

For the foregoing reasons, PGCP's Motion for Summary Judgment will be **GRANTED**.

A separate Order will issue.

/s/
PETER J. MESSITTE
UNITED STATES DISTRICT JUDGE

September 18, 2009

¹See Defendant's Requests for Admissions No. 31, which states: "Admit that you have not identified any incident of racial discrimination based upon your race." See also Defendant's Request for Admissions No. 33, which states: "Admit that you did not engage in any 'protected union activities' which form the basis of your retaliation claim."