

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

ANTONIO COLBERT,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 11-739 (JDB)
	)	
AMTRAK POLICE/SECURITY, CORPORATION,	)	
	)	
Defendant.	)	

**MEMORANDUM OPINION**

Plaintiff commenced this case against a defendant he identified as “Amtrak Security/Police,” alleging that, during an altercation in a McDonald’s restaurant in Union Station in Washington, DC, “Defendants security staff and police . . . maliciously assassinated [Plaintiff’s] character,” “badgered [Plaintiff] to the point of arrest,” and barred Plaintiff from “Union Station property.” Compl., ECF No. 7-1, p. 11. Defendant has moved to dismiss this case under Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim upon which relief may be granted and has alternatively moved for summary judgment under Federal Rule of Civil procedure 56. *See* Def.’s Mot. to Dismiss and/or for Summ. J., ECF No. 8. The Court ordered Plaintiff to file his opposition or other response to that motion on or before June 30, 2011, warning that failure to respond to the motion carried with it the risk that the motion could be granted as conceded and this case dismissed. Order, ECF No. 11; *see* D.D.C. LCvR 7(b). To date, Plaintiff has not filed any response. The Court will therefore grant Defendant’s motion in part (concerning dismissal) as conceded and dismiss this case, but will deny the motion in part as moot (concerning summary judgment) and will not enter summary judgment in favor of

Defendant, and will also terminate any other pending motions. A separate Order consistent with this Memorandum Opinion shall issue this date.

DATE: July 29, 2011

/s/  
JOHN D. BATES  
United States District Judge