

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

<b>ERIC A. HICKS,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Civ. Action No. 13-0033 (ESH)</b>
	)	
<b>EXECUTIVE OFFICE</b>	)	
<b>FOR U.S. ATTORNEYS,</b>	)	
	)	
<b>Defendants.</b>	)	
_____	)	

**MEMORANDUM OPINION**

Pending before the Court is Defendant’s Motion to Dismiss or for Summary Judgment [ECF No. 14]. By Order of July 25, 2013, plaintiff was advised to respond to defendant’s motion by August 26, 2013, or risk dismissal of the case on what the Court might treat as a conceded motion. Plaintiff has neither filed a response to the pending motion to dismiss nor sought additional time to do so. Therefore, the Court will treat the motion as conceded and dismiss the case. *See FDIC v. Bender*, 127 F.3d 58, 68 (D.C. Cir. 1997) (discretion lies wholly with the district court to grant motion to dismiss as conceded). A separate Order accompanies this Memorandum Opinion.

DATE: August 30, 2013

\_\_\_\_\_/s/\_\_\_\_\_  
ELLEN SEGAL HUVELLE  
United States District Judge