

In the United States Court of Federal Claims

No. 18-1551T
(Filed: July 9, 2019)

FREDERICK CHARLES HARRIS, II,

Plaintiff,

v.

UNITED STATES,

Defendant.

ORDER

On September 28, 2018, plaintiff filed a complaint claiming that the Internal Revenue Service illegally took \$40,000 from him. On April 15, 2019, defendant moved to dismiss for lack of jurisdiction and failure to state a claim. The response to that motion was originally due on May 13, 2019. On May 28, 2019, however, the clerk's office received a document entitled "notice of appeal." We directed the clerk's office to return that document to plaintiff unfiled because an appeal may only be taken from a judgment. We also sua sponte granted plaintiff until June 25, 2019, to respond to the motion to dismiss. Our order warned that failure to respond to that motion would result in dismissal for failure to prosecute and failure to comply with a court order. Plaintiff failed to meet that deadline and has not responded to the motion. Therefore, the complaint is hereby dismissed for failure to prosecute and failure to comply with a court order. Defendant's motion to dismiss is denied as moot. The Clerk of Court is directed to enter judgment accordingly.

[Handwritten signature of Eric G. Bruggink]

ERIC G. BRUGGINK
Senior Judge