

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

GARLAND E. WILLIAMS

CIVIL ACTION

VERSUS

NO. 16-15866

DEPARTMENT OF CHILDREN AND FAMILY  
SERVICES STATE OF LOUISIANA, ET AL.

SECTION "B" (2)

ORDER AND REASONS

Before the Court are two motions to dismiss. The State of Louisiana, through the Department of Children and Family Services ("DCFS"), filed a "Motion to Dismiss for Lack of Subject Matter Jurisdiction," because the state is entitled to sovereign immunity under the Eleventh Amendment to the United States Constitution. Rec. Doc. 35. Defendant Mandy Pierre, an employee of DCFS, filed a "Motion to Dismiss Mandy Pierre" pursuant to Federal Rule of Civil Procedure 12(b)(6). Rec. Doc. 34. The motions were set for submission on April 19, 2017. Pursuant to Local Rule 7.5, Plaintiff's memoranda in opposition was due on or before April 11, 2017. No memoranda in opposition have been filed. Further, no party filed a motion to continue the noticed submission date or a motion for extension of time within which to oppose the motion. While *pro se* litigants are provided greater leniency in certain areas, they are still obligated, like represented parties, to comply with all court orders, rules, and deadlines. *Frazier v. Wells Fargo Bank, N.A.*, 541 F. App'x 419, 422 (5th Cir. 2013) (citing *United States v. Wilkes*, 20 F.3d 651, 653 (5th Cir. 1994)). Thus, the motions

are deemed to be unopposed. It further appearing to the Court that the motions have merit,

**IT IS ORDERED** that the motions (Rec. Docs. 34-35) are **GRANTED**. All of Plaintiff's claims against the State of Louisiana, through the Department of Children and Family Services, and Mandy Pierre are hereby **DISMISSED WITHOUT PREJUDICE** pursuant to the State's sovereign immunity and for failure to state a claim.

A motion for reconsideration of this Order, based on the appropriate Federal Rule of Civil Procedure, if any, must be filed within thirty (30) days of this Order. The motion must be accompanied by opposition memoranda to the original motions. Because such a motion would not have been necessary had timely opposition memoranda been filed, the costs incurred in connection with the motion, including attorneys' fees, may be assessed against the party moving for reconsideration. See FED. R. CIV. P. 16, 83. A statement of costs and fees conforming to Local Rules 54.2 and 54.3 shall be submitted by all parties desiring to be awarded costs and attorneys' fees no later than eight (8) days prior to the noticed submission date of the motion for reconsideration.

New Orleans, Louisiana, this 8th day of May, 2017.

  
SENIOR UNITED STATES DISTRICT JUDGE