

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

JORGE MENES

CIVIL ACTION

VERSUS

NO. 17-5019

UNITED STATES OF AMERICA, ET AL

SECTION "B" (1)

ORDER AND REASONS

Before the Court is Defendant United States of America's "Motion to Dismiss for Lack of Subject Matter Jurisdiction" (Rec. Doc. 7),

Local Rule 7.5 of the Eastern District of Louisiana requires that memoranda in opposition with citations of authorities be filed **and** served no later than eight (8) days before the noticed submission date. No memoranda in opposition to the instant motion, set for submission on **August 9, 2017** have been submitted. No party has filed a motion to continue the noticed August 9, 2017 submission date or filed a motion for extension of time within which to oppose the motion. Accordingly, the motion is deemed to be unopposed. It appearing to this Court that the motion has merit,

**IT IS ORDERED** that the motion to dismiss is **GRANTED** and Plaintiff's claims against United States of America are hereby **DISMISSED WITH PREJUDICE**.

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 motion.

Because such a motion would not have been necessary had timely opposition memoranda been filed, the costs incurred in connection with the motion, including attorney's fees, will be assessed against the party moving for reconsideration. See Fed. R. Civ. P. 16, 83. A statement of costs conforming to Local Rule 54.3 shall be submitted by all parties desiring to be awarded costs and attorney's fees no later than eight (8) days prior to the noticed submission date of the motion for reconsideration.

New Orleans, Louisiana, this 9th day of August, 2017.

A handwritten signature in black ink, appearing to read "Louis L. ...", written over a horizontal line.

SENIOR UNITED STATES DISTRICT JUDGE