

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

DOYLE R. HAM, JR.,

Plaintiff

v.

**DEP'T OF PUB. SAFETY AND
CORR. SERVS. *et al.*,**

Defendants

CIVIL NO. JKB-12-1706

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MEMORANDUM

Plaintiff Doyle R. Ham, Jr., has sued his employer, the Maryland Department of Public Safety and Correctional Services, and various individual defendants for employment discrimination. (Compl., ECF No. 1.) One of those individual defendants, Dale Sandbek, has filed a *pro se* motion to dismiss for failure to state a claim against him. (ECF No. 6.) Ham, also *pro se*, has opposed Sandbek's motion, arguing that Sandbek's response is untimely and asking the Court to grant judgment against him. (ECF No. 8.)

Sandbek was served on July 20, 2012 (ECF No. 7), and his answer or other response was due on August 10, 2012. Sandbek's motion was filed on July 25, 2012, and is, therefore, timely. It is also meritorious. Sandbek points out that Ham's complaint only mentions him on page one in the list of defendants. Since Ham does not make an allegation of wrongful conduct against Sandbek, the complaint fails to state a claim against him and will be dismissed as to Sandbek. A separate order of dismissal will be entered.

DATED this 20th day of August, 2012.

BY THE COURT:

/s/

James K. Bredar
United States District Judge