

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

DEONDRE ROBINSON,)	
)	
Plaintiff,)	
v.)	Cause Number. 4:07CV1552
)	HEA
)	
ST. LOUIS COUNTY, MISSOURI, et al.,)	
)	
Defendants.)	

OPINION, MEMORANDUM AND ORDER

This matter is before the Court on Defendant County of St. Louis' Motion for Sanctions pursuant to Plaintiff's Failure to Comply with this Court's Order Dated October 15, 2008, [Doc. No. 44] and Defendant's Motion to Dismiss Plaintiff's Cause of Action or in the Alternative to Compel Plaintiff to Respond to Defendant St. Louis County's First Joint Request for Production of Documents Directed to Plaintiff Deondre Robinson, [Doc. 46]. Plaintiff has not filed an opposition to these motion.¹ For the reasons set forth below, the Motions are granted.²

¹ Pursuant to the Court's Local Rules, Plaintiff's failure to file a written opposition may be construed as a concession of the merits of Defendant's Motion. See Local Rule 7-4.01(B). ("Except with respect to a motion for summary judgment under Fed.R.Civ.P.56, each party opposing a motion shall file, within five (5) days after being served with the motion, a memorandum containing any relevant argument and citations to authorities on which the party relies.")

² Defendant has also filed a motion for summary judgment. Because the Court is dismissing this matter as a sanction for failure to comply with Court Orders and discovery, the motion for summary judgment is denied as moot.

The record in this matter is replete with instances of Plaintiff failing to file appropriate responses to discover and motions. Plaintiff's former attorney has set forth for the Court his efforts in attempting to resolve the pending matters to no avail. Defendant has, on numerous occasions sought compliance; Defendant's efforts have apparently been in vain. Plaintiff's lack of cooperation with Defendant and his failure to assist his former attorney demonstrate to the Court a disregard for the judicial process. Such a total failure to participate should not be rewarded, and the Court has, on numerous occasions given Plaintiff the opportunity to comply; Plaintiff has not accepted these opportunities.

Accordingly,

IT IS HEREBY ORDERED that Defendant County of St. Louis' Motion for Sanctions pursuant to Plaintiff's Failure to Comply with this Court's Order Dated October 15, 2008, [Doc. No. 44] and Defendant's Motion to Dismiss Plaintiff's Cause of Action or in the Alternative to Compel Plaintiff to Respond to Defendant St. Louis County's First Joint Request for Production of Documents Directed to Plaintiff Deondre Robinson, [Doc. 46], are **GRANTED**.

IT IS FURTHER ORDERED that this matter is dismissed for failure to

comply with the Court's Orders.

Dated this 11th day of December, 2008.

A handwritten signature in black ink, reading "Henry Edward Autrey". The signature is written in a cursive style with a long horizontal flourish extending to the right.

HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE