

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 KHANH M. LE,

11 Plaintiff,

12 v.

13 SACRAMENTO COUNTY SHERIFF, et
14 al.,

15 Defendants.

CASE NO. C13-694MJP

ORDER OF DISMISSAL

16 This matter comes before the Court on the motion to dismiss filed by the County of
17 Sacramento and the Sacramento County Sheriff. (Dkt. No. 21.) Having reviewed the motion,
18 Plaintiff's response (Dkt. No. 32), and the remaining record, the Court GRANTS the motion and
19 orders that this action is DISMISSED with prejudice.

20 In their motion, the Sacramento County Defendants assert a number of defenses,
21 including lack of personal jurisdiction and failure to state a claim upon which relief can be
22 granted. (Dkt. No. 21 at 2-5); see also Fed. R. Civ. P. 12(b)(2), Fed. R. Civ. P. 12(b)(6).
23 Plaintiff's response contains no substantive argument, and states only that he "object[]s to the
24


1 Defendants' motion to dismiss my complaint" and "request[s] that the Court deny the motion."
2 (Dkt. No. 32 at 1.) Plaintiff does not address any of the arguments raised by Defendants in their
3 motion. (Id.)

4 Plaintiff's failure to address any of the grounds for dismissal raised by Defendants in
5 their motion is tantamount to a failure to file a response. This Court's Local Rules explain that
6 failure to file opposition to a motion "may be considered by the court as an admission that the
7 motion has merit." Local Rules W.D. Wash. LCR 7(b)(2). Because Plaintiff's opposition failed
8 to substantively respond to Defendants' motion, the Court considers this an admission that the
9 motion has merit, and therefore GRANTS the motion.

10 Defendant's motion to dismiss is GRANTED and this action is hereby DISMISSED with
11 prejudice.

12 The clerk is ordered to provide copies of this order to Plaintiff and to all counsel.

13 Dated this 28th day of August, 2013.

14
15
16 
17 Marsha J. Pechman
United States District Judge