

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

James v. Crosby

James v. Crosby · No. 25-3025 (PLF) · Decided January 22, 2026

SUMMARY

The United States District Court for the District of Columbia advises a pro se plaintiff of the consequences of failing to respond to a pending motion to dismiss. The court orders the plaintiff to file a response by February 20, 2026, and explains that failure to respond may result in the motion being treated as conceded, granted on the merits, or the case being dismissed.

CASE DETAILS

COURT	United States District Court for the District of Columbia
WRITING FOR THE COURT	Paul L. Friedman
JURISDICTION	United States District Court for the District of Columbia
DECIDED	January 22, 2026
DOCKET	25-3025 (PLF)
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved to dismiss under Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). Before ruling on the motion, the court issued an order advising the pro se plaintiff of the obligation to respond and directing her to file a response by February 20, 2026.
STANDARD OF REVIEW	Not reached; the court did not decide the Rule 12(b)(1) or Rule 12(b)(6) motion.
PRECEDENTIAL VALUE	Published district court memorandum opinion; persuasive within the district but not binding precedent outside applicable controlling authority.
PARTIES	Trenisha James v. Shaunda Crosby

TOPICS

- motions to dismiss
- pleadings
- civil procedure

PRACTICE AREAS

- civil procedure

QUESTIONS PRESENTED

1. Whether a district court must advise a pro se litigant of the consequences of failing to respond to a potentially dispositive motion to dismiss.
2. What deadline and consequences should apply to the pro se plaintiff's response to the pending motion to dismiss.

HOLDINGS

1. When a dispositive motion could dispose of the case, the district court must advise a pro se party of the consequences of failing to respond, including that the motion may be granted and the case dismissed.
2. The plaintiff was ordered to respond to the motion to dismiss by February 20, 2026; if she failed to do so, the court could treat the motion as conceded, consider the motion on the merits based only on the defendant's arguments, or otherwise dismiss the case without the plaintiff's input.

KEY QUOTATIONS

"notice . . . [that] include[s] an explanation that the failure to respond to an adverse party's ... motion may result in the . . . court granting the motion and dismissing the case." (at 509)

"within 14 days of the date of service or at such other time as the court may direct, an opposing party shall serve and file a memorandum of points and authorities in opposition to the motion"

FACTUAL BACKGROUND

The defendant filed a motion to dismiss the plaintiff's case under Rules 12(b)(1) and 12(b)(6). The plaintiff was proceeding pro se, and the court determined that the motion could potentially dispose of the case, requiring notice of the consequences of failing to respond.

PROCEDURAL HISTORY

The defendant's motion to dismiss was pending before the District Court for the District of Columbia. Because the motion could potentially dispose of the case, the court advised the pro se plaintiff of the consequences of failing to oppose it and ordered a response by February 20, 2026.

DISPOSITION

other

CASES CITED

- Fox v. Strickland, 837 F.2d 507 (D.C. Cir. 1988) (per curiam)
- Hopkins v. Women's Division, General Board of Global Ministries, 284 F. Supp. 2d 15, 25 (D.D.C. 2003), aff'd, 98 F. App'x 8 (D.C. Cir. 2004)

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