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August 13, 2012

RE: *O'Hara v. Raniere et al.*
1:12-cv-00252

Hon. Gary L. Sharpe, Chief Judge
James T. Foley U.S. Courthouse
445 Broadway, Room 112
Albany, NY 12207

Filed Electronically

Dear Judge Sharpe:

Defendants Albany County and P. David Soares filed a motion to dismiss on June 20, 2012 with respect to the above-entitled action. The Court required Plaintiff to respond by July 16th, with a return date of August 2nd. Without a word from Plaintiff regarding his intentions to respond or not to respond, Plaintiff breezed by the deadline.

The Court then graciously granted Plaintiff a second chance in which to file responsive papers, without solicitation from Plaintiff, charging Plaintiff with the duty to "immediately" notifying the Court and defendants of his intention not to submit responsive papers, if that was what he so intended. (Dkt. No. 73). However, Plaintiff, again, has failed to file a response by the deadline, extended to August 10th, and has made no effort to inform the Court or defendants of his intention not to respond, as ordered by the Court.

In light of Plaintiff's failure to respond and violation of Local Rule 7.1(b)(3), as well as this Court's express Order, defendants renew its letter request of July 25th, Dkt. No. 71, petitioning this Court to grant Defendants' motion to dismiss and to summarily dismiss with prejudice all claims as against Albany County and P. David Soares.

The Court's consideration is appreciated.

Sincerely yours,

/s/
Adam G. Giangreco
Assistant County Attorney
Bar Roll No. 517518