

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION**

DISTRICT OF COLUMBIA,

Plaintiff,

v.

ANDRE E. BOWMAN,

Defendant.

**2025-CAB-001052
Judge Katherine E. Oler
CASE CLOSED**

ORDER

Pending before the Court is the District of Columbia’s Motion for Judgment on the Pleadings, filed on September 30, 2025. Defendant has not opposed the Motion, and the time to do so has passed. Upon consideration, the Court grants the Motion.

BACKGROUND

The District filed its Complaint pursuant to the Strengthening Traffic Enforcement, Education, and Responsibility Amended Act and the Delinquent Debt Recovery Act on February 20, 2025. Defendant holds a Maryland driver’s license and is the owner of five Maryland license plates. Compl. ¶¶ 9-10. Defendant has collectively 135 unpaid traffic citations across his five license plates. *Id.* at ¶ 52. Defendant either failed to answer and thus was deemed liable, or was otherwise found liable, for all 135 citations. *Id.* at ¶¶ 30, 36, 40, 44, 48.

The Department of Motor Vehicles contacted Defendant for each of his citations, notifying him of the associated fines and allotting 120 days for each citation to contest or resolve the fines. *Id.* at ¶ 53. The DMV then referred Defendant’s unpaid fines to the Office of the Chief Financial Officer Central Collection Unit. *Id.* at ¶ 54. CCU was unsuccessful at collecting the debt, and referred the matter to the Office of the Attorney General to initiate a civil action. *Id.* at ¶¶ 55-56.

Defendant initially filed an Answer on March 13, 2025. Defendant then failed to appear at a hearing set for May 23, 2025, and default was entered against him. The District moved for default judgment, and an ex parte proof hearing was set. Defendant appeared at the ex parte proof hearing on September 17, 2025 and requested that the default be set aside. The Court granted his request and directed him to file an amended answer. Defendant filed his amended answer on September 24, 2025. Defendant admits to receiving citations, but asserts that the associated fines are excessive or inaccurate. Am. Ans. at 1.

The District moved for judgment on the pleadings on September 30, 2025. The District asserts that Defendant is collaterally estopped from contesting liability for the citations because he was deemed liable or otherwise found liable by the DMV. Mot. at 4-5. The District asserts that Defendant did not exhaust administrative remedies to challenge the citations and cannot now contest them due to the time elapsed. *Id.* at 5-6. The District further argues that the amount owed is for a sum certain, and asks the Court to award damages absent a hearing. *Id.* at 7. Defendant did not oppose the motion, and the time to do so has passed.

On December 18, 2025, the District moved to treat its unopposed motion for judgment on the pleadings as conceded. Because the Court addresses the September 30 Motion on the merits, the December 18 Motion is moot.

LEGAL STANDARD

A party may move for judgment on the pleadings “after the pleadings are closed – but early enough not to delay trial.” *See* Super. Ct. Civ. R. 12(c). The standard for judgment on the pleadings under Rule 12(c) is the same as the standard for dismissal under Rule 12(b)(6). *See District of Columbia v. Beretta, U.S.A., Corp.*, 872 A.2d 633, 639 (D.C. 2005) (en banc) (citing *Osei-Kuffnor v. Argana*, 618 A.2d 712, 713 (D.C. 1993)). “Judgment on the pleadings may be granted only if,

on the facts as so admitted, the moving party is clearly entitled to judgment.” *Wilson Courts Tenants Ass’n, Appellant v. 523-525 Mellon St., LLC*, 924 A.2d 289, 292 (D.C. 2007) (quoting *Bennings Assocs. v. Joseph M. Zamoiski Co.*, 379 A.2d 1171, 1173 (D.C. 1977)). Judgment on the pleadings “should not be granted where there is a genuine issue of material fact.” *Id.* (internal citation omitted).

When evaluating a motion to dismiss pursuant to Superior Court Rule of Civil Procedure 12(b)(6) for failure to state a claim upon which relief can be granted, the Court assesses the “legal sufficiency of the complaint.” *Carey v. Edgewood Mgmt. Corp.*, 754 A.2d 951, 954 (D.C. 2000). To survive a motion to dismiss, a pleading must contain a “short and plain statement of the claim showing that the pleader is entitled to relief.” *Potomac Dev. Corp. v. District of Columbia*, 28 A.3d 531, 543 (D.C. 2011) (quoting Super. Ct. Civ. R. 8(a)). The claim to relief must be “plausible on its face;” a claim is facially plausible “when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.” *Id.* at 544 (quoting *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)). “We construe the complaint in the light most favorable to the plaintiff by taking the facts alleged in the complaint as true.” *Scott v. Fedchoice Fed. Credit Union*, 274 A.3d 318, 322 (D.C. 2022). We therefore resolve any uncertainties or ambiguities in favor of the plaintiff. *Hillbroom v. PricewaterhouseCoopers LLP*, 17 A.3d 566, 572 (D.C. 2011).

D.C. Superior Court Rule 12-I(e) of Civil Procedure requires that an opposing party file and serve a statement of opposing points and authorities in opposition to the motion within fourteen days of being served of the motion. *See* Super. Ct. Civ. R. 12-I(e). “If a statement of opposing points and authorities is not filed within the prescribed time, the court may treat the motion as conceded.” *Id.* For a dispositive motion, including a motion to dismiss, “[t]he general principle ...

is that [a conceded motion provision] may properly be utilized only where the movant has established a prima facie entitlement to relief.” *District of Columbia v. Davis*, 811 A.2d 800, 804 (D.C. 2002). However, “the court’s role is not to act as an advocate for [one party] and construct legal arguments on his behalf in order to counter those in the motion” to which he did not file a timely response. *See Stephenson v. Cox*, 223 F. Supp. 2d 119, 122 (D.D.C. 2002).

ANALYSIS

When a person receives a Notice of Infraction from the DMV, he may admit the infraction and pay the fine, admit with an explanation, or deny. D.C. Code § 50-2302.05(a); D.C. Code § 50-2303.05(a). If he fails to answer within 60 days, the infraction is deemed admitted. D.C. Code § 50-2302.05(e); D.C. Code § 50-2303.05(d)(2). A deemed admission can be vacated upon written application, within either 60 days or one year depending on the type of infraction. D.C. Code § 50-2302.05(i)(1); D.C. Code § 50-2303.05(g). If he does answer the infraction, a hearing is held at which a hearing examiner determines liability for the infraction. D.C. Code § 50-2302.06(d). A person found liable at a hearing can move for reconsideration within 30 days. D.C. Code § 50-2303.11(a).

Here, Defendant did not answer the majority of his infractions, and they were deemed admitted. Compl. ¶¶ 30, 36, 40, 44, 48. Of those he did answer, he was found liable by a hearing examiner. *Id.* The District indicates that Defendant did not move to vacate any deemed admissions or vacate any findings of liability. Mot. at 6-7. The DMV thus referred the delinquent debt to CCU for collection pursuant to D.C. Code § 1-350.02(a). 54. CCU was unsuccessful at collecting Defendant’s debt. Compl. ¶ 55. Under D.C. Code § 50-2201.04(g)(1)(A), the Attorney General may bring suit to recover the debt.

The facts alleged in the Complaint establish that Defendant was deemed liable or found liable for 135 traffic citations, and that he failed to contest liability by moving to vacate or seeking reconsideration within the required time. The District has thus established that it is entitled to judgment. *See Wilson Courts Tenants Ass'n, Appellant*, 924 A.2d at 292.

Defendant “admits receiving past citations” but asserts that the amount of the fines alleged in the Complaint is inaccurate, excessive, and unreasonable. Ans. at 1. Defendant does not deny receiving notice of the citations, nor does he deny being found liable or deemed liable in each instance. Further, he does not allege that he sought vacatur or reconsideration of liability. “It is a bedrock principle of administrative law ‘that no one is entitled to judicial relief for a supposed or threatened injury until the prescribed administrative remedy has been exhausted.’” *Riverside Hosp. v. D.C. Dep’t of Health*, 944 A.2d 1098, 1107 (D.C. 2008) (quoting *Myers v. Bethlehem Shipbuilding Corp.*, 303 U.S. 41, 50-51 (1938)). By failing to contest liability as prescribed by statute, Defendant has failed to exhaust his administrative remedies and cannot now contest the fines for his infractions. Defendant has failed to raise a genuine dispute of material fact, and the District has met its burden for judgment on the pleadings. *See Wilson Courts Tenants Ass’n, Appellant*, 924 A.2d at 292.

Accordingly, it is this 23rd day of January 2026 hereby

ORDERED that the Motion for Judgment on the Pleadings is **GRANTED**; and it is further **ORDERED** that judgment is entered in favor of the District of Columbia and against Defendant Andre E. Bowman in the amount of \$36,986.00; and it is further

ORDERED that the Motion to Treat Plaintiff’s Unopposed Motion for Judgment on the Pleadings as Conceded is **DENIED as moot**; and it is further

ORDERED that this case is **CLOSED** and all future hearings are **VACATED**.

SO ORDERED.


Judge Katherine E. Oler

Copies to:
All Parties and Counsel