

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
MAYOR'S OFFICE OF LEGAL COUNSEL
Freedom of Information Act Appeal: 2015-28**

February 27, 2015

VIA ELECTRONIC MAIL

Mr. Ari Ashe

RE: FOIA Appeal 2015-28

Dear Mr. Ashe:

This letter responds to your administrative appeal to the Mayor under the District of Columbia Freedom of Information Act, D.C. Official Code § 2-537(a) ("DC FOIA"). You ("Appellant") assert that the Fire and Emergency Medical Services Department ("FEMSD") improperly withheld records in response to a request for information under DC FOIA dated January 15, 2015, (the "FOIA Request") by failing to respond to the FOIA Request.

Appellant's FOIA Request sought communications on January 12, 2014, related to the emergency incident at L'Enfant Plaza and records of past calls inside the L'Enfant Plaza metro station from November 1, 2014, to January 11, 2014. When the FEMSD failed to respond to the FOIA Request, Appellant initiated the Appeal.

On February 26, 2015, the FEMSD advised this office that it responded to the Appellant's request on January 15, 2015. Based on the foregoing, we consider the Appeal to be moot and it is dismissed; provided, that the dismissal shall be without prejudice to Appellant to assert any challenge, by separate appeal, to the FEMSD's response.

Sincerely,

/s/ Melissa C. Tucker

Melissa C. Tucker
Associate Director
Mayor's Office of Legal Counsel

cc: Angela Washington, FEMSD (via email)