

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
EXECUTIVE OFFICE OF THE MAYOR  
OFFICE OF THE GENERAL COUNSEL TO THE MAYOR**

**Freedom of Information Act Appeal: 2011-65**

October 4, 2011

Mr. Joseph A. Davis, II

Dear Mr. Davis:

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)(2001) (“DC FOIA”), dated September 5, 2011 (the “Appeal”). You (“Appellant”) assert that the Office of the State Superintendent of Education (“OSSE”) improperly withheld records in response to your request for information under DC FOIA dated July 19, 2011 (the “FOIA Request”) by failing to respond to the FOIA Request.

Appellant’s FOIA Request sought OSSE audit standards, policies, and procedures, including memoranda and other documents in effect or developed during the period August 1, 2009 to July 19, 2011. By email dated July 19, 2011, OSSE acknowledged receipt of the FOIA Request and stated that it would respond on or before August 3, 2011. When the response was not received, Appellant filed the Appeal. In its response, dated October 3, 2011, OSSE stated that it responded to the FOIA Request on September 12, 2011 and that, after conducting a reasonable search of its records, there were no responsive records.

Based on the foregoing, the Appeal is moot and it is hereby dismissed.

This constitutes the final decision of this office. If you are dissatisfied with this decision, you are free under DC FOIA to commence a civil action against the District of Columbia government in the District of Columbia Superior Court.

Sincerely,

Donald S. Kaufman  
Deputy General Counsel

cc: Tracey Langley