

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

Freedom of Information Act Appeal: 2011-70

October 18, 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 18, 2011 (the "FOIA Request") by failing to respond to the FOIA Request.

Appellant's FOIA Request sought records related to the resignation of Mr. Derrick Blue. 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 initiated the Appeal. By email dated September 12, 2011, OSSE provided a response to Appellant, which response was appealed by Appellant as a separate matter.

As OSSE has responded to the FOIA Request, 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