

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
OFFICE OF THE GENERAL COUNSEL TO THE MAYOR
Freedom of Information Act Appeal: 2015-13**

December 10, 2014

BY EMAIL

James McLaughlin, Esq.

Re: Freedom of Information Act Appeal 2015-13

Dear Mr. McLaughlin:

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 November 26, 2014 (the “Appeal”). You, on behalf of Cheryl Thompson (“Appellant”), assert that the Metropolitan Police Department (“MPD”) improperly withheld records in response to your request for information under DC FOIA dated August 11, 2014 (the “FOIA Request”).

Appellant’s FOIA Request sought “the 911 tape and transcript” for an incident identified by date and approximate time and location. In response, by email dated August 12, 2014, MPD denied the FOIA Request, stating that, without the consent of the caller, the release thereof would constitute an unwarranted invasion of personal privacy which is exempt from disclosure under D.C. Official Code § 2-534(a)(2). By letter dated August 25, 2014, after being informed by Appellant that the caller was deceased, MPD reaffirmed its denial of the FOIA Request based on the privacy interest of the family of the deceased.

On Appeal, Appellant challenges the denial of the FOIA Request. In support of its challenge, Appellant states that subsequent to the last denial of the FOIA Request, the mother and closest living relative of the deceased told Appellant that she supported the release of the 911 call. In response, dated December 9, 2014, MPD states that, upon verification of that the mother of the deceased is waiving any privacy interest, it will direct the Office of Unified Communications to release the 911 call to Appellant.

Based on the foregoing, we will now consider the Appeal to be moot and it is hereby dismissed.

Sincerely,

Donald S. Kaufman
Deputy General Counsel

cc: Ronald B. Harris, Esq.
Teresa Quon Hyden, Esq.