

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
MAYOR'S OFFICE OF LEGAL COUNSEL
Freedom of Information Act Appeal: 2015-29**

February 27, 2015

VIA ELECTRONIC MAIL

Mr. Martin Austermuhle

RE: FOIA Appeal 2015-29

Dear Mr. Austermuhle:

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 Metropolitan Police Department ("MPD") improperly withheld records in response to a request for information under DC FOIA dated October 8, 2014, (the "FOIA Request") by failing to respond to the FOIA Request.

Appellant's FOIA Request sought records related to the findings and recommendations issued by the Use of Force Review Board for FY 2012 and 2013. When the MPD failed to respond to the FOIA Request, Appellant initiated the Appeal.

In a response to the Appeal dated February 26, 2015, the MPD stated that it provided responsive records to the Appellant by email on December 17, 2014. 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 MPD's response.

Sincerely,

/s Melissa C. Tucker

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

cc: Teresa Quon Hyden, MPD (via email)