

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
MAYOR'S OFFICE OF LEGAL COUNSEL
Freedom of Information Act Appeal: 2016-82**

June 29, 2016

VIA ELECTRONIC MAIL

Mr. Frederic W. Schwartz, Jr.

RE: FOIA Appeal 2016-82

Dear Mr. Schwartz:

This letter responds to the administrative appeal you submitted to the Mayor under the District of Columbia Freedom of Information Act, D.C. Official Code § 2-537 ("D.C. FOIA") on June 21, 2016. Your appeal is based on the failure of the Office of Employee Appeals ("OEA") to respond to your request for a particular order issued by the OEA.

On June 21, 2016, this Office asked OEA to provide us with a response to your appeal. OEA responded that it disclosed responsive documents to you on June 20, 2016. Since your appeal was based on OEA's failure to respond to your D.C. FOIA request, we consider it to be moot and it is dismissed; however, the dismissal shall be without prejudice to you to assert any challenge, by separate appeal, to OEA's substantive response.

If you are dissatisfied with this decision, you may commence a civil action against the District of Columbia government in the Superior Court of the District of Columbia in accordance with the DC FOIA.

Sincerely,

/s Melissa C. Tucker

Melissa C. Tucker
Associate Director

cc: Sheila G. Barfield, Executive Director, OEA (via email)