

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
EXECUTIVE OFFICE OF THE MAYOR  
MAYOR'S OFFICE OF LEGAL COUNSEL  
Freedom of Information Act Appeal: 2017-13**

January 18, 2017

**VIA US MAIL**

Mr. Solomon Givens

RE: FOIA Appeal 2017-13

Dear Mr. Givens:

This letter responds to the above-captioned administrative appeal that you submitted to the Mayor under the District of Columbia Freedom of Information Act, D.C. Official Code § 2-537 (“DC FOIA”). In this appeal, you assert that the Metropolitan Police Department (“MPD”) failed to adequately respond to a FOIA request you submitted to MPD for documents related to complaints you allegedly filed concerning a “No Papered” arrest.

Attached to your appeal were two documents that purport to be initial FOIA requests that you submitted to MPD. Both are dated November 17, 2016, but one is addressed to the Internal Affairs Bureau and the other is addressed to the Internal Affairs Division. In your appeal, you assert that you have not received a response to these requests.

This Office notified MPD of your appeal on January 3, 2017, and MPD responded to us on January 10, 2017. In its response, MPD explained that your initial request prompted a search of records at the Third Police District and the Internal Affairs Division. This initial search resulted in finding no responsive records. MPD asserts that upon receipt of your appeal, it conducted a second search of arrest records and found responsive documents relating to a civil forfeiture. The MPD indicated that it will revise its response to you and provide you with the documents discovered in the second search.

Since your appeal was based on a lack of a response from MPD, and since MPD has represented to this Office that it conducted a second search and will provide you with the responsive documents retrieved in that second search, we consider this appeal to be moot, and it is dismissed; however, the dismissal shall be without prejudice to you to assert any challenge, by separate appeal, to MPD’s substantive response.

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This shall constitute the final decision of this office. 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,

Mayor's Office of Legal Counsel

cc:      Ronald B. Harris, Deputy General Counsel, MPD (via email)