

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
MAYOR'S OFFICE OF LEGAL COUNSEL
Freedom of Information Act Appeal: 2017-33**

March 22, 2017

VIA ELECTRONIC MAIL

Mr. Walter Lopez

RE: FOIA Appeal 2017-33

Dear Mr. Lopez:

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 ("DC FOIA"). In your appeal, you assert that the District Department of Transportation ("DDOT") failed to adequately respond to a request you submitted on January 24, 2017, for records related to a restaurant and address.

On February 13, 2017, DDOT attempted to disclose 105 pages of responsive records with redactions for personal privacy pursuant to D.C. Official Code § 2-534(a)(2). It appears you did not receive DDOT's response, because on March 20, 2017, this office received your appeal which stated that DDOT closed your FOIA request without sending you any correspondence or acknowledgement. After you filed your appeal, DDOT contacted you again and provided this Office with a receipt stating that on March 21, 2017, someone on your behalf physically received the records responsive to your FOIA request from DDOT.

DDOT has demonstrated to this Office that it responded your request. As your appeal was based on DDOT's failure to adequately respond to your FOIA request, we consider your appeal to be moot, and it is dismissed. The dismissal shall be without prejudice to you to assert any challenge, by separate appeal, to the substantive response DDOT sent.

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 DC FOIA.

Respectfully,

Mayor's Office of Legal Counsel

cc: Karen R. Calmeise, FOIA Officer, DDOT (via email)