

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
MAYOR'S OFFICE OF LEGAL COUNSEL
Freedom of Information Act Appeal: 2017-43**

April 18, 2017

VIA ELECTRONIC MAIL

Mr. Jarrod Sharp

RE: FOIA Appeal 2017-43

Dear Mr. Sharp:

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 Metropolitan Police Department ("MPD") unlawfully closed and conducted an inadequate search in response to your DC FOIA request.

After you filed your appeal, MPD informed our Office that it originally closed your request as duplicative because it was very similar to a previous FOIA request that you had made. The previous request was for the same type of records as you requested here, but the search range of the previous request was of a month shorter period of time. As a result, MPD's advised this Office that it has begun processing the subsequent request and will provide you with responsive documents as soon as feasible.

Since your appeal was based on MPD's initial response and MPD has indicated that it is conducting a new search, 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 responses MPD sends you.

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