

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
EXECUTIVE OFFICE OF THE MAYOR  
MAYOR'S OFFICE OF LEGAL COUNSEL  
Freedom of Information Act Appeal: 2017-64**

May 4, 2017

VIA ELECTRONIC MAIL

Mr. John McFarland

RE: FOIA Appeal 2017-64

Dear Mr. McFarland:

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, dated April 23, 2017, you request that the Mayor compel the DC Department of Human Resources ("DCHR") to fulfill the FOIA request you submitted to DCHR on April 10, 2017.

Pursuant to D.C. Official Code § 2-532(c)(1), a public body must respond to a DC FOIA request within 15 business days of the receipt of the request. In certain circumstances, a public body may extend its response time by an additional 10 business days. D.C. Official Code § 2-532(d). The initial 15-business day time period had not expired when you filed the instant appeal, therefore rendering it premature. Moreover, DCHR has advised this Office that subsequent to your filing the appeal, DCHR notified you of the results of the search you requested. You then amended your request in correspondence to DCHR on April 30, 2017.

In light of the foregoing, this Office dismisses your appeal on the grounds that it was prematurely filed. This dismissal shall be without prejudice to you to file a separate appeal if DCHR improperly responds or fails to respond to your amended request after the statutory deadline.

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

Respectfully,

Mayor's Office of Legal Counsel

cc: Leah N. Brown, Attorney-Advisor, DCHR (via email)