

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
EXECUTIVE OFFICE OF THE MAYOR  
MAYOR'S OFFICE OF LEGAL COUNSEL  
Freedom of Information Act Appeal: 2017-85**

June 21, 2017

VIA US MAIL

Mr. Glenn Ballard

RE: FOIA Appeal 2017-85

Dear Mr. Ballard:

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 Office of Unified Communications ("OUC") failed to respond to a FOIA request you submitted to OUC for documents related to a 911 call made in 2008.

You submitted your FOIA request on March 17, 2017, for a transcript of a 911 call made in 2008. Having not received a response to your request, you filed this appeal on June 7, 2017.

This Office notified OUC of your appeal, and on June 15, 2017, OUC responded to the appeal by sending you a denial letter. In its denial, OUC explained that due to OUC's record retention policy,<sup>1</sup> it would not maintain a transcript that was generated in 2008 as such records are kept for only three years. As a result, OUC does not possess any records responsive to your request.

Since your appeal was based on a lack of a response from OUC, and since OUC has since provided you with a response, we consider this appeal to be moot, and it is dismissed.

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: Tammy Creamer, FOIA Officer, OUC (via email)

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<sup>1</sup> The policy and OUC's letter are attached.