

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR**



Mayor's Office of Legal Counsel

November 17, 2017

VIA ELECTRONIC MAIL

Rose Santos

RE: FOIA Appeal 2018-031

Dear Ms. Santos:

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 Department of Human Services ("DHS") failed to respond to your May 25, 2017 request for records related to a contract.

This Office notified DHS of the appeal. On November 13, 2017, DHS contacted you explaining that it had difficulty accessing your request via the FOIAXpress portal; however, once DHS reviewed your request it appeared that the request should be directed to the Department of Health rather than DHS.¹ On November 14, 2017, you responded affirmatively to DHS.

Since your appeal was based on DHS's lack of response and DHS has since responded, 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 Department of Health's substantive response.

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: Robert Warren, Assistant General Counsel, DHS (via email)

¹ DHS provided you with contact information for the Department of Health.