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GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR



Office of the General Counsel to the Mayor

January 25, 2007

BY U.S. MAIL

[Redacted]
Jonesville, VA 24 [Redacted]

Re: Freedom of Information Act Appeal

Dear [Redacted]:

This letter responds to your administrative appeal to the Mayor under the District of Columbia Freedom of Information Act (the "FOIA"), D.C. Official Code § 2-531 *et seq.* (2001 & 2006 Supp.), dated December 12, 2006, and received in this office on December 20, 2006 (the "Appeal").

In an initial request to the District of Columbia Metropolitan Police Department ("MPD"), dated May 25, 2006, you sought records specifically relating to you and maintained by MPD including arrest records; investigation and/or investigatory reports; reports or evidentiary and/or scientific information findings; warrants and/or detainers; and final and closing investigation reports; and any and/or all information, data, or reports not otherwise exempt from disclosure. In the Appeal, you advised that MPD did not respond to your FOIA request.

We forwarded the Appeal to MPD with a request for a response. MPD responded to you by letter dated December 29, 2006 (the "MPD Response"), and forwarded this office a copy of that response. Included with the MPD Response were three PD-163 forms (Prosecution Reports), a PD-63 (Physical Description Form), and mug shot photos of you. MPD also advised you that all other documents relating to information that you requested were destroyed, and that no documents were withheld.

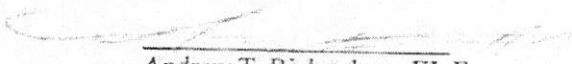
It appears that the MPD Response and the documents delivered with it were responsive to your FOIA request. Although these disclosures were made as part of the administrative appeal process, the spirit of FOIA has been met. Therefore, it is our position that the MPD Response makes the Appeal moot, and therefore it is hereby DISMISSED.

[REDACTED]
January 25, 2007

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However, if you believe that MPD has not responded fully to your FOIA request, you are authorized to initiate a new administrative appeal. You are also free under the FOIA to commence a civil action against the District of Columbia government at any time in the District of Columbia Superior Court, without awaiting the outcome of further proceedings before MPD or of any request you may direct to MPD.

Sincerely,
Peter Nickles, Esq.
General Counsel, EOM



Andrew T. Richardson, III, Esq.
Deputy General Counsel, EOM

cc (by e-mail):

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