

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
EXECUTIVE OFFICE OF THE MAYOR  
MAYOR'S OFFICE OF LEGAL COUNSEL  
Freedom of Information Act Appeal: 2020-078**

February 3, 2020

VIA ELECTRONIC MAIL

Ms. Shatao Arya

RE: FOIA Appeal 2020-078

Dear Ms. Arya:

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”), challenging the failure of the Office of Unified Communications (“OUC”) to respond to your FOIA request.

On January 21, 2020, you submitted a FOIA request to OUC requesting the record/transcript of 911/311 calls made for specific dates from an apartment in the District of Columbia.<sup>1</sup> On January 22, 2020, you submitted this appeal. On January 28, 2020, OUC responded to your appeal.<sup>2</sup> In its appeal response, OUC indicates that your appeal is premature. Under D.C. Official Code § 2-532(c)(1), OUC has 15 days (excluding weekends and holidays) to respond to your appeal. And, in unusual circumstances, the agency can extend the response time an additional ten days. In this matter, your appeal was filed before the agency’s deadline to file a response. We therefore dismiss your appeal as premature. You may file a new appeal if you are dissatisfied with the agency’s response to your request – or if you do not receive a timely response to your request.

This constitutes the final decision of this Office with respect to your appeal. You are free to challenge OUC’s substantive response by separate appeal to this Office. If you are dissatisfied with this decision, you may commence a civil action against the District of Columbia in the Superior Court of the District of Columbia in accordance with D.C. Official Code § 2-537.

Respectfully,

Mayor’s Office of Legal Counsel

cc: Jared Siegel, Assistant General Counsel  
OUC (via email)

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<sup>1</sup> We note that you submitted two FOIA requests, 2020 FOIA 02613 (January 20, 2020) and 2020 FOIA 02658 (January 21, 2020). Your appeal is from the second FOIA request (January 21, 2020).

<sup>2</sup> A copy of OUC’s response to your appeal is attached to this decision.