

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
EXECUTIVE OFFICE OF THE MAYOR  
MAYOR'S OFFICE OF LEGAL COUNSEL  
Freedom of Information Act Appeal: 2020-128**

August 12, 2020

VIA ELECTRONIC MAIL

Mr. Michael Ayele

RE: FOIA Appeal 2020-128

Dear Mr. Ayele:

This letter responds to the administrative appeal you submitted to the Mayor under the District of Columbia Freedom of Information Act, D.C. Code § 2-537 (“DC FOIA”), challenging the Metropolitan Police Department’s (“MPD”) response to your FOIA request, which MPD initially denied.<sup>1</sup>

Upon further review of your request, on March 6, 2020, the MPD provided you with a revised response letter and a copy of the document you sought: a redacted memorandum of understanding between the MPD and the University of the District of Columbia. If you are unsatisfied with the MPD’s response, you may file a new appeal once you have had an opportunity to review the records provided by the MPD.

Because you have now received the one MPD record that you sought in your appeal, we dismiss this appeal as moot.<sup>2</sup>

This constitutes the final decision of 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. Code § 2-537.

Respectfully,

Mayor’s Office of Legal Counsel

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<sup>1</sup> A copy of MPD’s response to your appeal is attached.

<sup>2</sup> With respect to the other aspects of your FOIA request, which seek responses from the MPD to a series of questions, we note that, under FOIA, an agency “has no duty either to answer questions unrelated to document requests or to create documents.” *Zemansky v. United States Env’tl. Prot. Agency*, 767 F.2d 569, 574 (9th Cir. 1985). The law only requires the disclosure of nonexempt documents, not answers to interrogatories. *Di Viaio v. Kelley*, 571 F.2d 538, 542-543 (10th Cir. 1978). “FOIA creates only a right of access to records, not a right to personal services.” *Hudgins v. IRS*, 620 F. Supp. 19, 21 (D.D.C. 1985); *see also Brown v. F.B.I.*, 675 F. Supp. 2d 122, 129-130 (D.D.C. 2009).

cc: Lisa Archie-Mills, Supervisory FOIA Specialist  
MPD (via email)