

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
MAYOR'S OFFICE OF LEGAL COUNSEL
Freedom of Information Act Appeal: 2020-248**

February 7, 2022

VIA ELECTRONIC MAIL

Mr. James Edward Sullivan

RE: FOIA Appeal 2020-248

Dear Mr. Sullivan:

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”), on the grounds that the Office of the Chief Medical Examiner (“OCME”) improperly responded to your FOIA request.

On September 16, 2020, you submitted a FOIA request seeking records regarding the death investigation of a family member. You filed your appeal with this Office on September 18, 2020, requesting clarification on the status of your FOIA request. Based on the language of your appeal, we construe your appeal as challenging OCME’s alleged failure to provide you with a written response to your FOIA request.

On September 24, 2020, OCME filed a response to your appeal.¹ In the response, OCME indicated that it had explained to you that pursuant to DC Code 2-534(a)(2) it could not release the requested records in response to a FOIA request but, as next of kin, you could request the records directly from OCME’s Records Manager. OCME also notified us that you already “had received OCME records through the usual channel of a direct request to OCME as a next of kin” and you had conversations with OCME to address your concerns about the documents. Because the agency has provided you with a response, we dismiss your appeal as moot.

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 government 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: Rodney K. Adams, General Counsel
OCME (via email)

¹ A copy of OCME’s response to your appeal is attached to this decision.