

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
MAYOR'S OFFICE OF LEGAL COUNSEL
Freedom of Information Act Appeal: 2021-113**

April 7, 2022

VIA ELECTRONIC MAIL

Mr. James Cawood

RE: FOIA Appeal 2021-113

Dear Mr. Cawood:

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 failure by the D.C. Fire and Emergency Medical Services Department (“FEMS”) to respond to your FOIA request.

You submitted a DC FOIA request to FEMS on January 5, 2021, seeking a specific fire marshal’s report. You filed an appeal with this Office on March 9, 2021, asserting that you did not receive a response to your request. On March 12, 2021, this Office notified FEMS of your appeal and requested a response. In its response FEMS explained that under D.C. Official Code § 2-532 (c)(1)(3)(A), it had 45 business days after the Initial COVID-19 closure, which ended on January 15, 2021, to respond your request and therefore was still within its statutorily permitted period to provide responsive documents at the time of your appeal. FEMS notified us that it provided you the responsive document on March 12, 2021.¹ Because FEMS responded to your request, we dismiss this 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 in the Superior Court of the District of Columbia in accordance with D.C. Code § 2-537.

Respectfully,

Mayor’s Office of Legal Counsel

cc: Paula J. Gibbs, Information & Privacy Officer
FEMS (via email)

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