

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
MAYOR'S OFFICE OF LEGAL COUNSEL
Freedom of Information Act Appeal: 2021-203**

August 2, 2021

VIA ELECTRONIC MAIL

Mr. Gaines Glenn Halcomb

RE: FOIA Appeal 2021-

203

Dear Mr. Halcomb:

This letter responds to the administrative appeals 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 Department of Motor Vehicles (“DMV”) improperly responded to your FOIA request.

On May 8, 2021, you submitted a DC FOIA request seeking all email communications between yourself and DMV. Specifically, you sought communications with a named DMV attorney and the Georgetown DMV and Southwest DMV locations between March 1, 2021 and May 8, 2021.

You filed your appeal with this Office on June 21, 2021, requesting clarification for “why this [request] was closed and the documents were not provided” to you. Based on the language of your appeal, we construe your appeal as challenging DMV’s failure to provide you with a written response to your FOIA request. On June 23, 2021, DMV filed a response to your appeal.¹ In the response, DMV indicated that the agency provided with you documents responsive to your request, via email through the FOIAXpress portal, on May 20, 2021. Further the agency asserted that it utilized the email address provided by you and that sender did not receive a “bounce-back” email indicating the message was undeliverable.

It is unclear whether you did not receive or are unaware of the agency’s May 20th FOIA response. Because the agency has provided you with responsive documents, we dismiss your appeal as moot. However, you may file a new appeal if you are dissatisfied with the agency’s response.

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: Pamela B. Washington, Assistant General Counsel/FOIA Officer
DMV (via email)

¹ A copy of DMV's response to your appeal is attached to this decision.