

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
MAYOR'S OFFICE OF LEGAL COUNSEL
Freedom of Information Act Appeal: 2022-061**

January 18, 2023

VIA ELECTRONIC MAIL ONLY

Ms. Elaine Maria Speller

RE: FOIA Appeal 2022-061

Dear Ms. Speller:

This letter is in response to the administrative appeal that you have submitted to the Mayor pursuant to the District of Columbia Freedom of Information Act ("FOIA"), D.C. Code §§ 2-531, *et seq.* In your appeal, you have questioned why the Metropolitan Police Department ("MPD") closed your December 2, 2021 FOIA request, identified as 2022-FOIA-01708, which sought the following:

Please provide a record of all parking tickets issued by Officer Q. Wheeler (Dept 15) badge #00464 in the Unit Block L St SW North and South Side, and Unit Block Half St. North and South Side (Fire Department, Post Office, and DMV).

In your January 5, 2022 appeal, you have stated, "I do not understand why this request is closed."

MPD denied your request on December 7, 2021 because, in the absence of an authorization or waiver, the release of records pertaining to a specific officer would constitute as a clearly unwarranted invasion of personal privacy, and is exempt from disclosure pursuant to D.C. Code §§ 2-534(a)(2) and (a)(3)(C). MPD also advised the personal identifiers within the individual tickets would be subject to the cited privacy exemptions and any tickets pertaining to yourself would be available through the Department of Motor Vehicles ("DMV"). You may obtain a copy of this decision, if it is still needed, by contacting the MPD FOIA Officer.

As submitted, this Office has interpreted your appeal as one in which you did not receive a copy of MPD's determination. *See* 1 DCMR § 412.4 ("An appeal to the Mayor shall be in writing and shall include: (a) Statement of the circumstances, reasons or arguments advanced in support of disclosure; (b) Copy of the original request, if any; (c) Copy of any written denial issued under § 407.2; and (d) Daytime telephone number, email address for the requester.")

Given the foregoing, as it appears MPD has responded to your request, we dismiss this appeal as moot.

This constitutes the final decision of this Office. However, you are free to challenge any

substantive response received from MPD by separate appeal to this Office. If you are dissatisfied with this decision, you may commence a civil action against the District of Columbia government in Superior Court.

Sincerely,

The Mayor's Office of Legal Counsel

cc: Brandy Reaves, MPD FOIA Officer (via email only)