

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
MAYOR'S OFFICE OF LEGAL COUNSEL
Freedom of Information Act Appeal: 2022-199**

January 18, 2023

VIA ELECTRONIC MAIL ONLY

Mr. Matt McMullen

RE: FOIA Appeal 2022-199

Dear Mr. McMullen:

This letter responds to the administrative appeal that you have submitted to the Mayor under the District of Columbia Freedom of Information Act, D.C. Code §§ 2-531, *et seq.* (“DC FOIA”). In your appeal, you have challenged the lack of response of the Metropolitan Police Department (“MPD”) to your DC FOIA request.

On July 6, 2022, you submitted a DC FOIA request to MPD, which was assigned two case numbers, 2022-FOIA-07897 and 2022-BWC-00370. In your request, you sought the following:

[A]ll documents, records, and/or evidentiary items related to the Metropolitan Police Department investigation of the above occurrence. This includes, but is not limited to:

1. Photographs (digital or otherwise);
2. Videotapes/film, including traffic and/or surveillance tapes from the area of 10th Street and H Street NE) which captured the occurrence (ie speed cams, red light cameras, etc.);
3. Police video recording footage such as dash cameras, personal-mounted cameras, etc, including such cameras operational when interviewing any party to the collision (such as Ms. Culver and the driver who struck her);
4. Transcripts of witness interviews;
5. Handwritten or typed notes prepared by the investigating officers;
6. Witness statements;
7. Toxicology reports;
8. Subpoenas;
9. Accident scene diagrams;
10. Vehicle inspection reports;
11. Accident reconstruction reports;
12. Police Accident report.

The District’s FOIA-tracking data indicates MPD granted your request, in part, and denied it, in

part, on September 1, 2022 (2022-BWC-00370), and September 28, 2022 (2022-FOIA-07897).

Because you have only challenged MPD's failure to respond and 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 the Superior Court of the District of Columbia.

Respectfully,

Mayor's Office of Legal Counsel

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