

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
EXECUTIVE OFFICE OF THE MAYOR  
MAYOR'S OFFICE OF LEGAL COUNSEL  
Freedom of Information Act Appeal: 2022-225**

January 18, 2023

**VIA ELECTRONIC MAIL ONLY**

Mr. William Matzelevich

RE: FOIA Appeal 2022-225

Dear Mr. Matzelevich:

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 Office of the Deputy Mayor for Education ("DME") to your DC FOIA request.

On August 22, 2022, you submitted a DC FOIA request to DME, identified as 2022-FOIA-09146, which sought the following:

Ward 3 Councilmember Mary Cheh's letter of September 16, 2021 to Deputy Mayor Kihn requested an explanation for the delays to the Hearst Park and Pool project (enclosed). Pursuant to the District of Columbia Freedom of Information Act, D.C. Code § 2-531et seq., I ask that the Office of the Deputy Mayor for Education provide a copy of the response and any additional responses related to this inquiry that the Deputy Mayor provided to Councilmember Cheh.

When DME did not respond, you filed an appeal with this Office on September 26, 2022. We notified DME of your appeal on September 26, 2022 and requested a response. Following that inquiry, DME has advised this Office that it provided you with a response and closed your request on September 27, 2022.

Because you only challenged DME's failure to respond and DME has now responded to your request, we dismiss this appeal as moot. However, you are free to challenge DME's substantive response by separate appeal to this Office.

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 Superior Court in accordance with D.C. Code § 2-537.

Respectfully,

Mayor's Office of Legal Counsel

cc: Hillary Desir, DME FOIA Officer (via email only)