

**FOIA & First Amendment to the United States Constitution, Right to Petition
Request for expedited processing**

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July 25, 2019
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To: PMG Megan J. Brennan
USPS Office Building
475 L'Enfant Plaza, SW
Washington, DC 20260-0010

RE: New FOIA to clearly state that FOIA public interest is to expose government activity and that the requested documents will expose the government activity of providing wrong addresses for fit for duty exams.

Dear Supposedly Public Servants

I make this request with clarifying the public interest – FOIA request are in the public interest when they expose government activity and or government wrong doing. With the four following FOIA request made in this letter the government activity and/or wrong doing I am attempting to expose is:

1. The intentional act of USPS managers to intentionally provide wrong addresses to people they send for fit for duty exams.
2. The collusion of the USPS and psychiatry to drive people into psychosis in order to claim they are “mentally ill”.

Such information will allow the people that the government is suppose to work for insight into the fraud of psychiatry.

I also point out that a "glomar" response is only proper when the requester specifically request document concerning a person or persons such as my 3rd and 4th request but not my first and second request as any response documents to first to request exemption 6 would only apply to the specific identifying portions of those documents – the entire document should not be withheld as parts of the document could be redacted under specified exemptions. Only when documents for specific person or persons would the agency need to be concerned with privacy versus public interest. Clearly when you look at the billions of dollars the government spends supporting psychiatry and the USPS action of giving wrong address to fit for duty exams the public has a right to know! I doubt any reasonable person will think gaslighting a person is proper for the government to do to people!

I request expedited processing of the FOIA¹ request because issues concerning these request may

¹ Expedited Processing

Requests and appeals will be processed on an expedited basis whenever it is determined that they involve:

Circumstances in which the lack of expedited processing could reasonably be expected to pose an imminent threat to the life or physical safety of an individual; or
An urgency to inform the public about an actual or alleged Federal Government activity, if made by a person who is primarily engaged in disseminating information.
A requester who seeks expedited processing must submit a statement, certified to be true and correct, explaining in detail the basis for making the request for expedited processing. A requester

be a matter of life and death for an untold number of people as an example during short time period after I filed Court action 5:17 cv -0073 on July 14, 2017 Postal worker DeShaune Stewart murdered two colleagues, his supervisor and the postmaster, on October 1, 2017 former Postal worker Stephen Paddock killed 58 people. My theory is that many Postal shootings are results of psychosis induced into Postal employees by psychiatrist and the USPS playing games with people such as wrong address to fit for duty exams. I have no way to know for sure when Mr. Paddock's psychosis began as psychosis can be caused by numerous life events but as a person that has first hand knowledge of psychosis I have good reason to believe Mr. Paddock used video gambling to focus his thoughts in order to control his psychosis – again the requested documents would shed light on if Mr. Paddock's psychosis started when he was a USPS employee and possibly indicate how the psychosis was started. As I was gamed by the USPS And psychiatrist into a psychosis I have figured out a number of the games played on my self and many others. The only way to begin to figure out how many more people the USPS and psychiatrist have played games with that may some time in the near or far future go "postal" is by the USPS releasing the documents I have requested. The requested document may also have a major impact on Court proceedings concerning Deshaune Stewart.

This request is not for commercial use!

I certify under penalty of perjury (under the laws of the United States of America) that the foregoing is true and correct.

July 25, 2019

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With this letter I make FOIA requests and "to petition the Government for a redress of grievance. While FOIA is a very specific petition with specific time framed for responses, specific legislation on acceptable responses and specifics for court over sight in no way should the government not properly respond to other forms of petitions due to the lack of specific legislation concerning response time, specifics concerning acceptable responses and court jurisdiction. After all the right to petition for redress of greivances has been a constitutional right long before the FOIA. The legislation and case law has evolved because it is a very specific form of petition and thus the very nature of the FOIA petition has enabled congress and courts to make modifications to overcome agencies evolving failures to reasonably comply with request. To this end I am again making modifications to my request to administratively attempt to resolve issues raised by the USPS and Court for previous denials. Despite clear congressional intent for agencies to communicate and resolve issues prior to agency FOIA response the USPS and U.S. Attorney have made incorrect assumptions concerning my FOIA request without any attempt to clarify issues and modify requests. All requested documents can be redacted of personal information not pertinent to the public interest of how the USPS and psychiatrist may have gamed employees into psychosis.

With Court ruling 5:17-cv-000773-MAD-TWD "Plaintiff fails to provide any coherent public interest in the information or evidence that the Postal Service has acted in bad faith."

To Court point of "any coherent public interest" I offer evidence of public interest² in that can

will receive notification within 10 calendar days of the receipt of a request for expedited processing of the decision whether to grant or deny expedited processing. If expedited processing is granted, the request will be given priority, placed in the processing track for expedited requests, and processed as soon as practicable. If a request for expedited processing is denied, any appeal of that decision will be acted on expeditiously. 39 CFR 265.5.

² Court of Appeals for the District of Columbia Circuit has declared that "under Exemption 6, the presumption in favor of disclosure is as strong as can be found anywhere in the Act." 9 Multi Ag.

easily be found over the internet, various news media to such a point that a person would have to have their head buried in the sand to not be aware of the extreme public interest that the requested documents will have a major impact numerous issues in the news on a regular basis:

1. Postal Shooting incidents:

a. [Http://www.nydailynews.com/news/crime/worst-postal-worker-related-incidents-article-1.2826721](http://www.nydailynews.com/news/crime/worst-postal-worker-related-incidents-article-1.2826721)

b. <https://www.reviewjournal.com/crime/shootings/1-year-after-las-vegas-shooting-survivors-still-seek-help/>³

2. Psychiatry Science or beliefs based on theories that can not be proven (public interest in "mental Health):

a. Thomas Szasz [The Myth Mental Illness](#)

b. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4701907/>

c. <https://www.history.com/news/10-things-you-may-not-know-about-sigmund-freud>⁵

d. Less popular psychiatric theories such as the "label theory"⁶ and "gas lighting"⁷ could be proven as valid if the documents requested become public (because the documents would prove games played by psychiatrist and the USPS thus the cloak of secrecy will be removed that has always been the "expert" psychiatrist and USPS managers knowledge only disputed by those gamed into psychosis by their seemingly rambling incoherent claims.

e. [They Say You're Crazy: How The World's Most Powerful Psychiatrist Decide Who's Normal](#) by Paula J. Caplan.⁸

3. Failure of Investigations in to mass shootings to find motives for actions (see 1. b. above "...a motive. The FBI is still trying to figure it out.")

While I have submitted numerous modifications to my FOIA request the USPS has at no time made any attempt to resolve any issues or clarifications prior to responding to initial request or appeals even though congress clearly intended the agencies to communicate and resolve issues along with presidential and A.G. Directives to make records readily available to the public.⁹

515 F.3d at 1227 (quoting Nat'l Ass'n of Home Builders v. Norton, 309 F.3d 26, 32 (D.C. Cir. 2002)); see also Consumers' Checkbook Ctr. for the Study of Servs. v. HHS, 554 F.3d 1046, 1057 (D.C. Cir. 2009) (stating that FOIA's "presumption favoring disclosure . . . is at its zenith under Exemption 6"); Lawyers' Comm. for Civil Rights of S.F. Bay Area v. Dep't of the Treasury, No. 07-2590, 2008 WL 4482855, at *20 (N.D. Cal. Sept. 30, 2008) ("The burden remains on the agency to justify any withholdings under Exemption 6 since the presumption in favor of disclosure under this exemption is as strong as that with other exemptions."). See Wood v. FBI, 432 F.3d 78,86 (2d Cir. 2005). "balance the public's need for the information against the individual's privacy interest..."

³Nearly a year has passed, yet so many questions remain. Las Vegas police couldn't name a motive. The FBI is still trying to figure it out." *As a person that the USPS and psychiatrist gamed into psychosis and has insight into how the USPS and psychiatrist drove me into psychosis I believe information concerning other people that may have been victims of similar games and also driven into psychosis.*

⁴This study suggests that higher suicide rates are associated with higher number of psychiatrists working in mental health per 100,000 people. This observation is consistent with previous reports, suggesting that the PD positively correlates with suicide rates" Published online 2016 Jan 6 *This study was done to support psychiatry based on assumptions that suicide is a mental illness and psychiatry can cure mental illness but the data suggest that psychiatry actually causes more suicides.*

⁵"Freud's death may have been a physician-assisted suicide" *So called father of psychiatry thought of having a friend assist his suicide for 20 years - so was Dr. Freud "mentally ill"*

⁶https://en.wikipedia.org/wiki/Labeling_theory basically by labeling a person "mentally ill" you make them "mentally ill"

⁷ Gaslighting is a form of psychological abuse where victims are being presented with false information, which makes them doubt their perception, memory, and sanity. <https://curiousmindmagazine.com/gaslighting-spot-psychological-manipulation-3-sneaky-ways-psychopaths-rely/>

⁸How are decisions made about who is normal? As a former consultant to those who construct the "bible of the mental-health professions," the DSM (Diagnostic and Statistical Manual of Mental Disorders), Paula Caplan offers an insider's look at the process by which decisions about abnormality are made. Cutting through the professional psycho-babble, Caplan clearly assesses the astonishing extent to which scientific methods and evidence are disregarded as the handbook is developed. A must read for consumers and practitioners of the mental-health establishment, which through its creation of potentially damaging interpretations and labels, has the power to alter our lives in devastating ways.

⁹To aid the requester, each agency shall make available its FOIA Public Liaison, who shall assist in the resolution of any disputes between the requester and the agency, and notify the requester of the right of the requester to seek dispute resolution services from the Office of Government Information Services. Refusal by the person to reasonably modify the request ...

(l) that the agency may make one request to the requester for information and toll the 20-day period while it is awaiting such information that it has reasonably requested from the requester under this section; or

Refusal by a person to reasonably modify the scope of a request or arrange an alternative time frame for processing a request (or a modified request) under clause (ii) after being given an opportunity to do so by the agency to whom the person

(l) that the agency may make one request to the requester for information and toll the 20-day period while it is awaiting such information that it has reasonably requested from the requester

Notifying the Supervisor When an Employee Does Not Present for the Examination A fitness-for-duty assessment cannot be made until the examination has been completed. If an employee is unable or fails to appear for the examination, the supervisor is immediately notified for rescheduling or other appropriate action, as necessary.

Wrong doings I'm alleging the requested documents will expose

1. Ms. Maryrose Behan intentionally providing wrong address for fitness for duty exams (along with other USPS Managers playing same game along with other games).
2. Failure of law enforcement investigations in to "postal shootings" to investigate and inform public of games the USPS managers and psychiatrist played to drive people into psychosis.
3. Psychiatrist misrepresenting psychosis caused by USPS managers games along with psychiatric games as "mental illness" being something physically, chemically or genetically wrong with individuals. When in truth we are all animals that can be broken and driven into psychosis.
4. The fact the USPS and psychiatrist have done nothing to provide any scientific evidence to validate psychiatry violating constitutional rights of due process and cruel and unusual punishment by playing numerous games to drive people into psychosis. The fact is psychiatry has assumed numerous theories that can not be proven to be true and have done repeated revisions to the DSM in order to fit normal human (animal) behaviors to disorders diagnoses (see footnote 6).

By making the requested documents public the debate concerning "mental illness" will be opened up to the public taking the secrets from the so called experts that have been making many victims of psychiatry drink their kool aid for over a century.

1. As many letters as can be found in a reasonable time by persons familiar with records of the Albany USPS District with the address of "440 East Genesee St. Syracuse" or 440 E. Genesee St. Syracuse " in body of the letter see attached letter for complete description(scope is limited to Albany District to the years 1990 -2000).
- note the above request is not specific to any person, or fit for duty letters, certainly responsive documents are most likely in medical records but any personal data can be redacted, also note even though I've made numerous request for assistance in wording of this request from the USPS the USPS FOIA liaison has done nothing to assist with request!

I maintain that because the above request public interest outweighs privacy concerns because "mental illness" is 150 billion dollar fraud a year (being based on false theories). With all but two or three in request number 3 being dead and thus privacy issues greatly diminished. Vince Foster¹⁰ case cited by USPS previously should be noted only prevented the release of some of the most gruesome death photos not all of them in addition I believe the family along with many of the individuals do not have any knowledge that the USPS routinely gave wrong address to fit for duty exams and therefore the correct case law to consider is *Lepelletier v. FDIC*, 977 F. Supp. 456

under this section; or

¹⁰ *National Archives & Records Administration v. Favish*, 124 S. Ct. 1570 (2004), a landmark FOIA case in which the Court ruled that several death-scene photographs of former Deputy White House Counsel Vincent W. Foster, Jr., properly can be withheld from the public, and from media exploitation, on the basis of FOIA Exemption 7(C). It declared that Exemption 7(C) "requires us to protect, in the proper degree, the personal privacy of citizens against the uncontrolled release of information compiled through the power of the state." 124 S. Ct. at 1580.

(D.D.C. 1997)¹¹. Such information concerning Mr. Stewart would be extremely valuable to his defense.

My FOIA request are not burdensome in the respect that the USPS is having a difficult time identifying the requested documents but because of the volume of documents to be searched and the number of responsive documents. In the NSA case with over 20,000 responsive documents at 400 pages per month batch release it seems it will take the NSA 5 years to comply with the FOIA request.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request . I would prefer the request filled electronically to MuckRock, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 20 business days, as the statute requires.

My Identity is Don M. Moore 315 689-9197 – my expertise's is personal experience and research that has include observation and discussion with many, Numerous friends including psychiatrist, nurses, attending USPS consultant Dennis Johnson's presentation (in which I figured out what a snake oil salesman he is), Locating NY DOH information on USPS psychiatrist Dr. Andrus drug problems ...

I have no intention of using requested records to contact any individuals or survivors of any one that USPS sent to fit for duty exams – I will not in any way violate their privacy with information from requested document any identifiable information should be redacted by the USPS according to FOIA law.

I can verify addresses as correct or incorrect by using google, public property records, and / or by actually going to the physical address!

Again anything I can do to clarify any part of this request please contact me via email at donmoore9197@twc.com.

Sincerely,

Don M. Moore

Don M. Moore July 25, 2019

Concerning burdensome searches I suggest the USPS review the NSA case concerning a very " voluminous amount of records" FOIA request <https://assets.documentcloud.org/documents/3512610/NSA-Stay-Petition.pdf> From NSA court action -

¹¹-Lepelletier v. FDIC, 977 F. Supp. 456 (D.D.C. 1997) Accordingly, we hold that the FOIA analysis under Exemption 6 must include consideration of any interest the individual might have in the release of the information, particularly when the individuals who are "pro-ected" under this exemption are likely unaware of the information that could benefit them.[https://www.cadc.uscourts.gov/internet/opinions.nsf/1A459FAC6661563985256F15006C16A1/\\$file/97-5287a.txt](https://www.cadc.uscourts.gov/internet/opinions.nsf/1A459FAC6661563985256F15006C16A1/$file/97-5287a.txt)

“ identifying responsive documents was a relatively simple exercise, yet resulted in a voluminous amount of records”, “ the Court order the Agency to process no more than 400 pages of potentially responsive documents per month.”

“This phase of the process is extremely timeconsuming, as each responsive document must be reviewed page-bypage, line-by-line, and word-by-word to determine which, if any, FOIA and/or Privacy Act (“PA”) exemptions may apply. This includes recommending redactions of exempt material and notating the applicable exemption(s) in the margin of each page, or deleting pages when they are withheld in their entirety.”

Below please find supporting website for my FOIA request such as proof of death of Mr. Paddock on Las Vegas Police Metro Department Web Site (thus no denial for privacy).

<https://www.fbi.gov/services/records-management/foipa/requesting-fbi-records>

A deceased individual:

If your request is for information concerning a deceased individual, you must provide proof of death. Acceptable forms of proof of death include obituaries, death certificates, recognized sources that can be documented, written media, Who’s Who in America, an FBI file that indicates a person is deceased, date of birth is 100 years or greater, or Social Security Death Index page. State how much you are willing to pay for duplication fees if any are assessed. Refer to the U.S. Department of Justice FOIA Reference Guide.

<http://heavy.com/news/2017/10/stephen-paddock-irs-mailman-stein-work-history-agent-las-vegas-shooting/>

A spokesperson for the Office of Personnel Management told The Associated Press on Tuesday that Stephen Paddock worked as an agent for the Internal Revenue Service in its auditing department and was also a letter carrier for the U.S. Postal Service. The spokesperson said Paddock worked as a mailman for the USPS for two years from 1976-1978 and then worked for the IRS for six years until 1984. After that, he worked as a defense auditor, a job he held for about 18 months, the spokesperson said. Official Las Vegas Metro Police Department press release on Stephen Paddock’s death.

<https://www.justice.gov/oip/blog/oip-guidance-importance-good-communication-foia-requesters>

Establishing good communication and working cooperatively with FOIA requesters is a very simple and yet essential element to ensuring that each agency’s FOIA process is working in accordance with the President’s and Attorney General’s directives. There are a number of areas where improved communication with FOIA requesters holds great promise for improving FOIA administration.

Providing Agency Contact Information

OIP has long advised agencies to provide each FOIA requester with the name and phone number of the FOIA professional handling his or her request. Although many agencies already routinely provide such contact information to FOIA requesters, all agencies should ensure that they do so. This is a fundamental courtesy which should readily be extended to all FOIA requesters.

Discussing the Scope and Status of the Request

The FOIA has a number of provisions that require agencies to contact requesters. Whenever a request involves "unusual circumstances" and the agency determines that it must extend the time to respond by more than ten working days, the agency is required to notify the requester and give him or her an opportunity to limit the scope of the request or to arrange for an alternative time to process it. The FOIA also requires agencies to establish a telephone line or Internet service to provide requesters with the status of their requests. In carrying out these statutory requirements agencies should ensure that their communication with requesters is prompt and helpful. Good communication with requesters can also be exceedingly helpful in those instances where an agency is uncertain about the scope of what is being requested. By engaging in a dialogue with the requester, both parties can ensure that they have a common understanding of what records are being sought. Similarly, when a request will involve a far-ranging or time-consuming search, it is often helpful to contact the

requester to discuss what steps will be involved in order to process that particular request. Often these conversations will allow the FOIA requester and the FOIA professional to collaborate on a plan for responding to a complex request. Many times FOIA requesters do not know how agency records are organized or what might be involved in searching for the records they seek. Having the ability to talk through an approach to the request and reach an understanding can be very helpful to both the requester and the agency.

Making Interim Responses as Processing Proceeds

When an agency is working on a request that involves a voluminous amount of material or which involves searches in multiple locations, whenever feasible, the agency should provide the requester with interim responses rather than waiting until all records are located and processed. Although there are situations where records need to be reviewed in their totality to ensure proper handling, in other cases rolling releases of records are possible. Whenever such rolling releases are possible the agency should make them to facilitate access to the requested records

From http://nsarchive.gwu.edu/nsa/foia/foia_guide/foia_guide_chapter6.pdf

,if there has been no agency action on the request). It is important to note that when an agency does not respond to a request at all and no administrative appeal is filed within six years, the statute of limitations has expired, and the requester will not be permitted to file a lawsuit. However, the requester may simply refile the same request and then litigate the agency's failure to respond and/or subsequent denial.

in USPS handbook "Handbook AS-353, Guide to Privacy, the Freedom of Information Act, and Record Management, § 4-2.1.a." "If necessary, the custodian may ask the requester for more information" (Previous denials I was not asked for any more information

(<https://www.theguardian.com/society/2013/may/12/psychiatrists-under-fire-mental-health>), "Medicine's big new battleground: does mental illness really exist?" <https://www.theguardian.com/society/2013/may/12/medicine-dsm5-row-does-mental-illness-exist> ...Any one that does not think there is a public interest in how the USPS and psychiatry play games to drive people into psychosis must be wearing blinders.

from: EL-860-2000-7

Notifying the Employee of the Examination The occupational health nurse administrator, or designee, notifies the labor relations specialist of the scheduled examination. The labor relations specialist, or other person designated by the Human Resources manager, notifies the employee's supervisor in writing of the examination appointment. The employee is notified by mail and, if practicable, by personal delivery from the supervisor. The letter to the employee must include information concerning the reasons the fitness-for-duty examination is necessary.

https://about.usps.com/handbooks/as353/as353add_003.htm

Third-Party Requests

Where a FOIA request seeks disclosure of records that pertain to a third party, a requester may receive greater access by submitting a written authorization signed by that individual authorizing disclosure of the records to the requester; by submitting proof that the individual is deceased (e.g., a copy of a death certificate or an obituary), or by completing the Privacy Waiver available a