

December 12, 2018

NYPD FOIL Record Access Officer
Legal Bureau – FOIL Unit
One Police Plaza, Room 110-C
New York, NY 10038

Re: Appeal of 2018-PL-2018-056-03439

Dear NYPD FOIL Office and/or Detective Halk:

I am writing to appeal the response, and lack of timely followup to my FOIL request, file # 2018-056-03439 dated June 14, 2018. My request is for a current roster of NYPD officers.

I received a response dated July 2, 2018 acknowledging the receipt of my request that stated, “The New York City Police Department (NYPD) has acknowledged your FOIL request FOIL-2018-056-03439. (<https://a860-openrecords.nyc.gov/request/view/FOIL-2018-056-03439>) You can expect a response on or about Friday, November 9, 2018.

Additional Information:

Your request has been assigned to Detective Halk (646-610-6430).”

To date I have not received any documents or a determination on my request. The time period you requested for determination of this request has elapsed. As such, the request has been constructively denied by your agency. *See e.g. Matter of New York Times Co. v. City of New York Police Dept.*, 103 AD3d 405, 406 (1st Dept. 2013), *lv denied* 21 NY3d 930; *Council of Regulated Adult Liquor Licenses v. City of New York Police Dept.* 300 AD2d 17, 18 (1st Dept. 2002); *Matter of Floyd v. McGuire*, 87 AD2d 388, 390 (1st Dept. 1982), *lv dismissed* 57 NY2d 774. I am appealing this constructive denial of my request.

I thank you in advance for your prompt attention to this matter.

Sincerely,
Camille Fassett
Reporter
Lucy Parsons Labs