



U.S. Department of Justice
Office of Information Policy
Sixth Floor
441 G Street, NW
Washington, DC 20530-0001

Telephone: (202) 514-3642

January 25, 2022

William Fernandes
DEPT MR 108078
411-A Highland Avenue
Somerville, MA 02144

108078-91619784@requests.muckrock.com

Re: Appeal No. A-2022-00416

Request No. EOUSA-2022-
000601

DRC:JKD

VIA: Email

Dear William Fernandes:

You attempted to appeal from the failure of the Executive Office for United States Attorneys (EOUSA) to respond to your Freedom of Information Act request for access to certain records concerning former United States Attorney Carmen Ortiz and first assistant United States Attorney and then acting USAO William Weinreb.

Department of Justice regulations provide for an administrative appeal to the Office of Information Policy only after there has been an adverse determination by a component. See 28 C.F.R. § 16.8(a) (2020). As no adverse determination has yet been made by EOUSA, there is no action for this Office to consider on appeal.

As you may know, the FOIA authorizes requesters to file a lawsuit when an agency takes longer than the statutory time period to respond. See 5 U.S.C. § 552(a)(6)(C)(i). However, I can assure you that this Office has contacted EOUSA and has been advised that your request is currently being processed. If you are dissatisfied with EOUSA's final response, you may appeal again to this Office.

This Office has forwarded a copy of your letter to EOUSA. You should contact EOUSA's Requester Service Center at 202-252-6020 for further updates regarding the status of your request.

If you have any questions regarding the action this Office has taken on your appeal, you may contact this Office's FOIA Public Liaison for your appeal. Specifically, you may speak with the undersigned agency official by calling (202) 514-3642.

Sincerely,

X /s/ Daniel Castellano

Daniel Castellano
Associate Chief, for Matthew Hurd, Chief,
Administrative Appeals Staff