



OFFICE *of* GOVERNMENT INFORMATION SERVICES

September 13, 2016 - Sent via U.S. mail

NATIONAL
ARCHIVES
and RECORDS
ADMINISTRATION

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Re: Case No. 201601178
NG: CM: KG

Dear [REDACTED]:

This responds to your July 29, 2016 letter to the Office of Government Information Services (OGIS), which we received via U.S. mail. Your request for assistance concerns your Freedom of Information Act (FOIA) request to the U.S. Department of Justice (DOJ), Executive Office for United States Attorneys (EOUSA).

Congress created OGIS to complement existing FOIA practice and procedure and we strive to work in conjunction with the existing request and appeal process. OGIS's goal, whenever practical, is to allow the requester to exhaust his or her remedies within the agency, including the appeal process. OGIS has no investigatory or enforcement power, nor can we compel an agency to process a particular request before others. OGIS serves as the Federal FOIA Ombudsman and our jurisdiction is limited to assisting with the FOIA process.

OGIS provides mediation services to resolve disputes between FOIA requesters and Federal agencies. After opening a case, OGIS gathers information from the requester and the agency to learn more about the nature of the dispute. This process helps us gather necessary background information, assess whether the issues are appropriate for mediation, and determine the willingness of the parties to engage in our services. As part of our information gathering, OGIS carefully reviewed your submission of information.

You made the request to EOUSA for records related to [REDACTED] on [REDACTED] [REDACTED]. On [REDACTED], EOUSA responded to your request, informing you that the United States Attorney's Office for the District of Maryland conducted a search and did not locate responsive records. You appealed this determination. On [REDACTED], the DOJ's Office of Information Policy (OIP) responded to your appeal, affirming the EOUSA's determination on modified grounds. You asked OGIS to assist with this matter.

[REDACTED]
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OGIS contacted EOUSA to obtain the correspondence associated with your request and to discuss the agency's action on this matter. We learned that in response to your request and appeal; EOUSA conducted two searches for records responsive to your request; in both cases, EOUSA could not locate the records it identified from a search of its indices. You mentioned in your correspondence that the records you seek relate [REDACTED]; we note that [REDACTED]. EOUSA informed OGIS that the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) was the investigating agency for [REDACTED]. Considering this, you may wish to submit a FOIA request to ATF for records related to [REDACTED]. We've provided the contact information for the ATF FOIA Office with this letter.

Additionally if you seek records that originated in the state court system, you may wish to consider making a public records request for [REDACTED] to the county in which [REDACTED] was tried, Prince George's County, Maryland. We have enclosed information for submitting a request to State of Maryland for your state records. The point of contact for the Prince George's County State's Attorney's Office is:

Alana P. Gayle
Prince George's County State's Attorney Office
14735 Main Street, Suite M3403
Upper Marlboro, Maryland 20772

You may also consider making a records request to the Prince George's County Police Department. The point of contact for the Prince George's Police Department is:

Lt. Angela M. Lane
Prince George's County Policy Department
4932 43rd Avenue
Hyattsville, MD 20781

Should you have problems obtaining records from the State of Maryland, you may wish to contact Maryland's Public Access Ombudsman, at:

Lisa A. Kirshner
Office of the Maryland Attorney General
200 St. Paul Place
Baltimore, MD 21202

Additionally, if you wish to obtain Federal court data, you may wish to review the enclosed information from the website of the Administrative Office of the Courts (AOC).


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I hope you find the explanation provided above useful to understanding why DOJ responded as it did to your FOIA request and appeal. At this time, there is no further assistance that OGIS can offer and we will close your case.

Sincerely,

/s/

NIKKI GRAMIAN

Acting Director

cc: Donna Preston, FOIA Public Liaison, Executive Office for United States Attorneys

Enclosures