



Federal Communications Commission  
Washington, D.C. 20554

April 17, 2019

DA 19-297

Richard Gibson  
[Address Redacted]

Re: FOIA Control Nos. 2019-260, 2019-351

Mr. Gibson:

On April 15, 2019, you appealed the Office of the Managing Director's partial denials of your Freedom of Information Act (FOIA) requests, FOIA Control Nos. 2019-260 and 2019-351.<sup>1</sup> By this letter, we dismiss your appeal.

Your appeal states, in its entirety, "Please process my appeal and request for assistance[.] Please advise, Richard Gibson." You do not state any grounds for appeal, nor do you articulate how you believe the Office of the Managing Director erred in responding to your requests. Given this, we conclude that you have not raised any material issues with the denials of your FOIA requests that would merit review by the Commission. For these reasons, we dismiss your application for review under section 0.251(j) of the Commission's rules for failing to articulate specific grounds for review.<sup>2</sup>

Pursuant to 5 U.S.C. § 552(a)(6)(A)(ii), we notify you of the provisions for judicial review under paragraph (a)(4) of the Freedom of Information Act.<sup>3</sup> We note that as part of the Open Government Act of 2007, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

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<sup>1</sup> E-mail from Richard Gibson to FOIA-Appeal@fcc.gov (April 15, 2019).

<sup>2</sup> See 47 C.F.R. § 0.251(j) (as the Commission's Chief FOIA Officer, "the General Counsel is delegated authority to dismiss FOIA applications for review that are untimely, repetitious, or fail to articulate specific grounds for review").

<sup>3</sup> See 5 U.S.C. § 552(a)(4)(B) ("On complaint, the district court of the United States in the district in which the complainant resides, or has his principal place of business, or in which the agency records are situated, or in the District of Columbia, has jurisdiction to enjoin the agency from withholding agency records and to order the production of any agency records improperly withheld from the complainant.")

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Sincerely,

Thomas M. Johnson, Jr.  
General Counsel  
Office of General Counsel

cc: FOIA Officer