



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

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Telephone: (202) 514-3642

Michael Ding

January 5, 2023

Re: Appeal No. A-2022-02118  
Request No. EOUSA-2022-  
002189  
MWH:JKD

foia@aflegal.org

**VIA: Online Portal**

Dear Michael Ding:

You appealed from the action of the Executive Office for United States Attorneys (EOUSA) on your Freedom of Information Act request for: (A) all records referring to the matter United States v. Mattis, (B) all records referring to the defendant Colinford Mattis, (C) all records referring to the defendant Urooj Rahman, (D) all records referring to the applicability of a terrorism enhancement, (E) all records referring to the case-specific mitigating facts and circumstances referenced in the letter from United States Attorney Peace to Judge Cogan, and (F) all records referring to sentencing leniency for BLM protestors. I note that your appeal concerns EOUSA's full denial of your request.

I have been informed that you filed a lawsuit concerning EOUSA's action in the United States District Court for the District of Columbia. As indicated in the Department of Justice regulations located at 28 C.F.R. § 16.8(b)(2) (2021), an appeal ordinarily will not be acted upon by this Office if the FOIA request becomes the subject of litigation. For this reason, I am closing your appeal file in this Office.

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 *Matthew W. Hurd*

Matthew W. Hurd  
Chief, Administrative Appeals Staff