

Exhibit "A"

F R E E D O M O F I N F O R M A T I O N R E Q U E S T

REQUESTOR: Jose Miguel Chavez-Arellano

DATE OF BIRTH: July 5, 1974

REG. NO.: 93054-079

PLACE OF BIRTH: Mexico

ADDRESS: FCI Seagoville,

CRIMINAL CASE NO.: 5:00-CR-00355

P.O. Box 9000

U.S. DISTRICT COURT: Texas (Laredo Division)

Seagoville, TX 75159-9000

DATE ARRESTED: March 13, 2000

BRANCH OR AGENCY FROM WHICH REQUESTED:

FEDERAL BUREAU OF INVESTIGATION
Assistant Director of Criminal
Investigative Division
935 Pennsylvania Ave. N.W.
Washington, D.C. 20535-0001

January 7, 2004

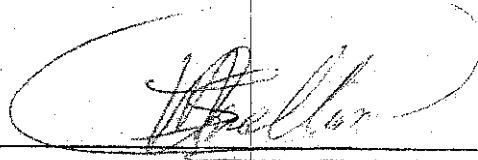
DEAR SIRs:

I hereby request that you furnish me within 10 days as provided by law (See 5 U.S.C. §552(a)(6)(A)), copies of the following specified documents or information: Each and every record related to requestor, Jose Miguel Chavez-Arellano in agency files. I also request that you search other branches and offices for the requested records.

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My request is not limited to the above. It includes all documents, reports, pictures, exhibits, memorandums, letters, summaries, handwritten notes, recordings, and all other information concerning this subject which is contained in your offices under the supervision and administration of the above-stated agency or branch of government.

My request is made pursuant to the provisions of the Freedom of Information and Privacy Acts, Title 5 U.S.C. §§552, 552a. (a certificate of identity is enclosed) I am willing to pay for any accessible search and copying fees.
Thank you,



(signature of requestor)

05 2503

FILED

DEC 30 2005

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

F R E E D O M O F I N F O R M A T I O N R E Q U E S T

REQUESTOR: Jose Miguel Chavez-Arellano DATE OF BIRTH: July 5, 1974

REG. NO.: 93054-079 PLACE OF BIRTH: Mexico

ADDRESS: FCI Seagoville CRIMINAL CASE NO.: 5:00-CR-00355

P.O. Box 9000 U.S. DISTRICT COURT: Texas (Laredo Division)

Seagoville, TX 75159-9000 DATE ARRESTED: March 13, 2000

BRANCH OR AGENCY FROM WHICH REQUESTED:

FEDERAL BUREAU OF INVESTIGATION
 Assistant Director of Laboratory
 Division
 935 Pennsylvania Ave. N.W.
 Washington, D.C. 20535-0001

January 7, 2004

DEAR SIRs:

I hereby request that you furnish me within 10 days as provided by law (See 5 U.S.C. §552(a)(6)(A)), copies of the following specified documents or information:

Any and all fingerprint analysis and/or fingerprint record in your agency files. I also request, that you search other branches and offices for the requested records.

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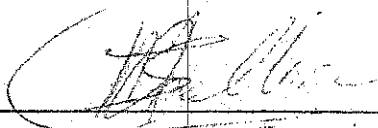
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My request is not limited to the above. It includes all documents, reports, pictures, exhibits, memorandums, letters, summaries, handwritten notes, recordings, and all other information concerning this subject which is contained in your offices under the supervision and administration of the above-stated agency or branch of government.

My request is made pursuant to the provisions of the Freedom of Information and Privacy Acts, Title 5 U.S.C. §§552, 552a. (a certificate of identity is enclosed) I am willing to pay for any accessible search and copying fees.

Thank you,



(signature of requestor)

F R E E D O M O F I N F O R M A T I O N R E Q U E S T

REQUESTOR: <u>Jose Miguel Chavez-Arellano</u>	DATE OF BIRTH: <u>July 5, 1974</u>
REG. NO.: <u>93054-079</u>	PLACE OF BIRTH: <u>Mexico</u>
ADDRESS: <u>FCI Seagoville</u>	CRIMINAL CASE NO.: <u>5:00-CR-00355</u>
<u>P.O. Box 9000</u>	U.S. DISTRICT COURT: <u>Texas (Laredo Division)</u>
<u>Seagoville, TX 75159-9000</u>	DATE ARRESTED: <u>March 13, 2000</u>

BRANCH OR AGENCY FROM WHICH REQUESTED:

FEDERAL BUREAU OF INVESTIGATION
Federal Office Building and Courthouse
2500 East T.C. Jester Boulevard, Suite 200
Houston, TX 77008-1300

January 7, 2004

DEAR SIRs:

I hereby request that you furnish me within 10 days as provided by law (See 5 U.S.C. §552(a)(6)(A)), copies of the following specified documents or information:

Each and every record related to requestor, Jose Miguel Chavez-Arellano in agency files. I also request that you search other branches and offices for the requested records.

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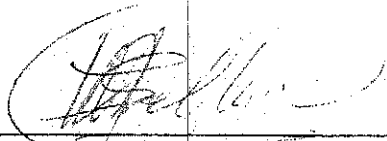
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My request is not limited to the above. It includes all documents, reports, pictures, exhibits, memorandums, letters, summaries, handwritten notes, recordings, and all other information concerning this subject which is contained in your offices under the supervision and administration of the above-stated agency or branch of government.

My request is made pursuant to the provisions of the Freedom of Information and Privacy Acts, Title 5 U.S.C. §§552, 552a. (a certificate of identity is enclosed) I am willing to pay for any accessible search and copying fees.

Thank you,



(signature of requestor)



Privacy Act Statement. In accordance with 28 CFR Section 16.41(d) personal data sufficient to identify the individuals submitting requests by mail under the Privacy Act of 1974, 5 U.S.C. Section 552a, is required. The purpose of this solicitation is to ensure that the records of individuals who are the subject of U.S. Department of Justice systems of records are not wrongfully disclosed by the Department. Failure to furnish this information will result in no action being taken on the request. False information on this form may subject the requester to criminal penalties under 18 U.S.C. Section 1001 and/or 5 U.S.C. Section 522a(i) (3).

Public reporting burden for this collection of information is estimated to average 0.50 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Suggestions for reducing this burden may be submitted to Director, Facilities and Administrative Services Staff, Justice Management Division, U.S. Department of Justice, Washington, DC 20530 and the Office of Information and Regulatory Affairs, Office of Management and Budget, Public Use Reports Project (1103-0016), Washington, DC 20503.

Full Name of Requester ¹ Jose Miguel Chavez Arellano (93054-079)


Current Address FCI Seagoville, P.O. Box 9000, Seagoville, TX 75159-9000

Date of Birth July 5, 1974

Place of Birth Mexico

Social Security Number ² 347-01-0678

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I am the person named above, and I understand that any falsification of this statement is punishable under the provisions of 18 U.S.C. Section 1001 by a fine of not more than \$10,000 or by imprisonment of not more than five years or both, and that requesting or obtaining any record(s) under false pretenses is punishable under the provisions of 5 U.S.C. 552a(i)(3) by a fine of not more than \$5,000.

Signature ³  Date January 7, 2004

Optional: Authorization to Release Information to Another Person

This form is also to be completed by a requester who is authorizing information relating to himself or herself to be released to another person.

Further, pursuant to 5 U.S.C. § 552a(b), I authorize the U.S. Department of Justice to release any and all information relating to me to:

(Print or Type Name)

¹ Name of individual who is the subject of the record sought.

² Providing your social security number is voluntary. You are asked to provide your social security number only to facilitate the identification of records relating to you. Without your social security number, the Department may be unable to locate any or all records pertaining to you.

³ Signature of individual who is the subject of the record sought.



U.S. Department of Justice
93034-079

CHAVEZ-ARRELLANO
JOSE MIGUEL



INMATE

This is a mugshot identification card from the U.S. Department of Justice. It features a black and white photograph of a man with short dark hair and a mustache. To the right of the photo is the number 93034-079. Below the photo, the name CHAVEZ-ARRELLANO is printed in large, bold, uppercase letters, with JOSE and MIGUEL printed in smaller uppercase letters on either side. At the bottom left is a standard 1D barcode, and at the bottom right, the word INMATE is printed in large, bold, uppercase letters.



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

January 20, 2004

MR JOSE MIGUEL CHAVEZ ARELLANO
**93054-079
POST OFFICE BOX 9000
SEAGOVILLE, TX 75159 9000

Request No.: 0990239- 000
Subject: CHAVEZ ARELLANO, JOSE MIGUEL

Dear Mr. Chavez-Arellano:

This is in response to your Freedom of Information-Privacy Acts (FOIPA) request noted above.

Based on the information furnished, a search of the automated indices to our central records system files at the Houston Field Office located no records responsive to your FOIPA request to indicate you and/or the subject(s) of your request have ever been of investigatory interest to the FBI. The automated indices is an index to all records created since January 1, 1958, in security, applicant, and administrative matters, as well as to all records created since January 1, 1973, in criminal matters.

If you have reason to believe records responsive to your request exist prior to the above dates, you will have to request another search. In order to respond to our many requests in a timely manner, our focus is to identify responsive records in the automated indices that are indexed as main files. A main index record carries the names of subjects of FBI investigations.

Although no main file records responsive to your FOIPA request were located in our automated indices, we are required to inform you that you are entitled to file an administrative appeal if you so desire. Appeals should be directed in writing to the Co-Director, Office of Information and Privacy, U. S. Department of Justice, Suite 570, Flag Building, Washington, D. C. 20530, within 60 days from the date of this letter. The envelope and the letter should be clearly marked "Information Appeal." Please cite the FOIPA request number assigned to your request so that it may easily be identified.

Sincerely yours,

A handwritten signature in black ink, appearing to read "D Hardy", is positioned above the typed name.

David M. Hardy
Section Chief,
Record/Information
Dissemination Section
Records Management Division

U.S. Department of Justice



Federal Bureau of Investigation

Washington, D.C. 20535

February 2, 2004

Mr. Jose Miguel Chavez- Arellano
**93054-079
Post Office Box 9000
Seagoville, TX 75159-9000

Request No.: 964047
Subject: Chavez-Arellano, Jose Miguel

Dear Mr. Chavez-Arellano:

This is in response to your Freedom of Information-Privacy Acts (FOIPA) request.

A subsequent search of the indices to our central records system files at FBI Headquarters revealed only your prior FOIPA request and our correspondence. No other records were located responsive to your FOIPA request.

Although no record responsive to your request was located, we are required to inform you that you are entitled to file an administrative appeal if you so desire. Appeals should be directed in writing to the Co-Director, Office of Information and Privacy, United States Department of Justice, Suite 570, Flag Building, Washington, D. C. 20530, within 60 days from the date of this letter. The envelope and the letter should be clearly marked "Freedom of Information Appeal."

Sincerely yours,

A handwritten signature in cursive script that reads "David M. Hardy" followed by a vertical line and the initials "jch".

David M. Hardy
Section Chief
Record/Information
Dissemination Section
Records Management Division



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

March 17, 2004

MR JOSE MIGUEL CHAVEZ ARELLANO
**93054-079
POST OFFICE BOX 9000
SEAGOVILLE, TX 75159 9000

Request No.: 0993731- 000
Subject: CHAVEZ ARELLANO, JOSE
MIGUEL

Dear Mr. Chavez -Arellano:

This is in response to your Freedom of Information-Privacy Acts (FOIPA) request noted above.

Based on the information furnished, a search of the automated indices to our central records system files at FBI Headquarters located no records responsive to your FOIPA request to indicate you have ever been of investigatory interest to the FBI. The automated indices is an index to all records created since January 1, 1958, in security, applicant, and administrative matters, as well as to all records created since January 1, 1973, in criminal matters.

If you have reason to believe records responsive to your request exist prior to the above dates, you may request another search. In order to respond to our many requests in a timely manner, our focus is to identify responsive records in the automated indices that are indexed as main files. A main index record carries the names of subjects of the FBI investigations.

Although no main file records responsive to your FOIPA request were located in our automated indices, we are required to inform you that you are entitled to file an administrative appeal if you so desire. Appeals should be directed in writing to the Co-Director, Office of Information and Privacy, U. S. Department of Justice, Suite 570, Flag Building, Washington, D. C. 20530, within 60 days from the date of this letter. The envelope and the letter should be clearly marked "Information Appeal." Please cite the FOIPA request number assigned to your request so that it may easily be identified.

Sincerely yours,

A handwritten signature in black ink, appearing to read "D. Hardy", is written over the typed name.

David M. Hardy
Section Chief,
Record/Information
Dissemination Section
Records Management Division

Jose M. Chavez
Reg. No. 93054-079/FCI Seagoville
P.O. Box 9000/Seagoville, TX 75159

August 21, 2004

Office of Information and Privacy
United States Department of Justice
Flag Building, Suite 570
Washington, D.C. 20530

RE: FOIA/PA "Appeal" Requests No.; 0990239-000,964047,0993731-000. Records pertaining to case no. 5:00-CR-00355-2.

Petitioner, Jose M. Chavez-Arellano, forwarded Seven (7) FOIA/PA requests, through different Federal Bureau of Investigation's field offices. However, Petitioner received only 3 responses of the 7 FOIA/PA requests.

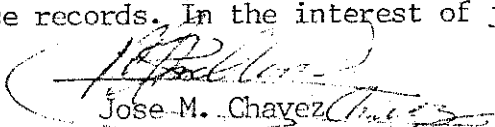
On January 7, 2004, through FOIA/PA, Petitioner requested; "Each and every record related to requestor within the F.B.I.'s agency at 2500 East T.C. Jester Blvd., Ste. 200, Houston, Texas 77008-1300. Additionally, Petitioner requested that such agency searched other branches and offices for the requested records, and mentioned his willingness to pay for any accessible search and copying fees. On January 20, 2004, the FBI's Houston Field Office forwarded a letter, request no. 0990239-000, stating; "no records responsive to your FOIPA request..."

On January 7, 2004, Petitioner requested; "Each and every record related to requestor", within the FBI agency, Assistant Director of Criminal Investigative Division at 935 Pennsylvania Ave., N.W., Washington, D.C. 20535-0001. On February 2, 2004, Petitioner received a letter for Records Management Division, signed by Mr. David M. Hardy, assigned request no. 964047, such letter stated that; "our central record system files at FBI headquarters revealed only your prior FOIPA request and our correspondence. No other records were located responsive to your FOIPA request."

On January 7, 2004, Petitioner requested "Any and all fingerprint analysis and/or fingerprint record in your agency files." Also, requested to search another branches and offices for the requested records. This request was directed to FBI's Assistant Director of Laboratory Division at 935 Pennsylvania Ave. N.W., Washington, D.C. 20535-0001. On March 17, 2004, Petitioner received a letter, request no. 0993731-000, stating that; "FBI Headquarters located no records responsive to your FOIPA request."

Petitioner has reliable information to believe that the Federal Bureau of Investigation contains records related to Petitioner's criminal case. Consequently, Petitioner hereby is appealing the denial of his requests. In addition, Petitioner has been prejudiced for the F.B.I. bad faith denial, since the failure to disclose these records preclude Petitioner to pursue a fair post-conviction relief, violating Petitioner's Fifth Amendment, right to due process, the substantive and fundamental right to be free, and the right to fairly pursue any post-conviction remedy. Since Petitioner is collaterally attacking his conviction the withholding of Petitioner's records would result in a miscarriage of justice. For the facts and arguments hereinbefore presented, Petitioner respectfully request that this Honorable Office of Information and Privacy, direct an order to the mentioned FBI's agencies to forward, as soon as possible, any and each Petitioner's case records. In the interest of justice.

Respectfully Submitted,


Jose M. Chavez



U.S. Department of Justice

Office of Information and Privacy

Telephone: (202) 514-3642

Washington, D.C. 20530

SEP 27 2004

Mr. Jose M. Chavez
Register No. 93054-079
Federal Correctional Institution
P.O. Box 9000
Seagoville, TX 75159-9000

Re: Request No. 964047

Dear Mr. Chavez:

This is to advise you that your administrative appeal from the action of the Federal Bureau of Investigation on your request for information from the files of the Department of Justice was received by this Office on August 31, 2004.

The Office of Information and Privacy, which has the responsibility of adjudicating such appeals, has a substantial backlog of pending appeals received prior to yours. In an attempt to afford each appellant equal and impartial treatment, we have adopted a general practice of assigning appeals in the approximate order of receipt. Your appeal has been assigned number **04-2781**. Please mention this number in any future correspondence to this Office regarding this matter.

We will notify you of the decision on your appeal as soon as we can. The necessity of this delay is regretted and your continuing courtesy is appreciated.

Sincerely,

A handwritten signature in cursive script, appearing to read "Priscilla Jones".

Priscilla Jones
Administrative Specialist



U.S. Department of Justice

Office of Information and Privacy

Telephone: (202) 514-3642

Washington, D.C. 20530

SEP 27 2004

Mr. Jose M. Chavez
Register No. 93054-079
Federal Correctional Institution
P.O. Box 9000
Seagoville, TX 75159-9000

Re: Request No. 993731

Dear Mr. Chavez:

This is to advise you that your administrative appeal from the action of the Federal Bureau of Investigation on your request for information from the files of the Department of Justice was received by this Office on August 31, 2004.

The Office of Information and Privacy, which has the responsibility of adjudicating such appeals, has a substantial backlog of pending appeals received prior to yours. In an attempt to afford each appellant equal and impartial treatment, we have adopted a general practice of assigning appeals in the approximate order of receipt. Your appeal has been assigned number **04-2782**. Please mention this number in any future correspondence to this Office regarding this matter.

We will notify you of the decision on your appeal as soon as we can. The necessity of this delay is regretted and your continuing courtesy is appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Priscilla Jones".

Priscilla Jones
Administrative Specialist



U.S. Department of Justice

Office of Information and Privacy

Telephone: (202) 514-3642

Washington, D.C. 20530

SEP 27 2004

Mr. Jose M. Chavez
Register No. 93054-079
Federal Correctional Institution
P.O. Box 9000
Seagoville, TX 75159-9000

Re: Request No. 990239

Dear Mr. Chavez:

This is to advise you that your administrative appeal from the action of the Federal Bureau of Investigation on your request for information from the files of the Department of Justice was received by this Office on August 31, 2004.

The Office of Information and Privacy, which has the responsibility of adjudicating such appeals, has a substantial backlog of pending appeals received prior to yours. In an attempt to afford each appellant equal and impartial treatment, we have adopted a general practice of assigning appeals in the approximate order of receipt. Your appeal has been assigned number **04-2780**. Please mention this number in any future correspondence to this Office regarding this matter.

We will notify you of the decision on your appeal as soon as we can. The necessity of this delay is regretted and your continuing courtesy is appreciated.

Sincerely,

A handwritten signature in cursive script, appearing to read "Priscilla Jones".

Priscilla Jones
Administrative Specialist



U.S. Department of Justice

Office of Information and Privacy

Telephone: (202) 514-3642

Washington, D.C. 20530

FEB 07 2005

Mr. Jose M. Chavez-Arellano

Register No. 93054-079

Federal Correctional Institution

Post Office Box 9000

Seagoville, TX 75159

Re: Appeal No. 04-2780

Request No. 990239

RLH:ADW:EJS

Dear Mr. Chavez-Arellano:

You appealed from the action of the Houston Field Office of the Federal Bureau of Investigation on your request for access to records concerning you.

After carefully considering your appeal, I have decided to affirm the FBI's action on your request.

The FBI informed you that it could locate no records at the Houston Field Office responsive to your request. It has been determined that the FBI's response is correct.

If you are dissatisfied with my action on your appeal, you may seek judicial review in accordance with 5 U.S.C. § 552(a)(4)(B).

Sincerely,

A handwritten signature in dark ink, appearing to read "Richard L. Huff".

Richard L. Huff
Co-Director



U.S. Department of Justice

Office of Information and Privacy

Telephone: (202) 514-3642

Washington, D.C. 20530

FEB 07 2005

Mr. Jose M. Chavez-Arellano
Register No. 93054-079
Federal Correctional Institution
Post Office Box 9000
Seagoville, TX 75159

Re: Appeal No. 04-2781
Request No. 964047
RLH:ADW:EJS

Dear Mr. Chavez-Arellano:

You appealed from the action of the Headquarters Office of the Federal Bureau of Investigation on your request for access to records concerning you.

After carefully considering your appeal, I have decided to affirm the FBI's action on your request.

The FBI informed you that it could locate no records responsive to your request. It has been determined that the FBI's response is correct.

If you are dissatisfied with my action on your appeal, you may seek judicial review in accordance with 5 U.S.C. § 552(a)(4)(B).

Sincerely,

A handwritten signature in black ink, appearing to read "Richard L. Huff".

Richard L. Huff
Co-Director



U.S. Department of Justice

Office of Information and Privacy

Telephone: (202) 514-3642

Washington, D.C. 20530

FEB 07 2005

Mr. Jose M. Chavez-Arellano

Register No. 93054-079

Federal Correctional Institution

Post Office Box 9000

Seagoville, TX 75159

Re: Appeal No. 04-2782

Request No. 993731

RLH:ADW:EJS

Dear Mr. Chavez-Arellano:

You appealed from the action of the Headquarters Office of the Federal Bureau of Investigation on your request for access to Laboratory Division records concerning you.

After carefully considering your appeal, I have decided to affirm the FBI's action on your request.

The FBI informed you that it could locate no records responsive to your request for "fingerprint analysis and/or fingerprint record." It has been determined that the FBI's response is correct.

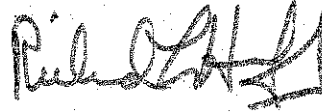
Because you mention "fingerprints," it appears that you may be seeking a copy of your FBI identification record or "rap sheet". To obtain rap sheet information, you need to make a written request, including your full name, date and place of birth, a certified check or money order in the amount of \$18 payable to the Treasurer of the United States, and a set of rolled-inked fingerprint impressions placed upon fingerprint cards or forms commonly used by law enforcement agencies for applicant or law enforcement purposes. See 28 C.F.R. § 16.30-.34 (2004) (copy enclosed for your convenience). Requests for access to rap sheet information must be addressed to:

Federal Bureau of Investigation
CJIS Division
ATTN: SCU, Mod. D-2
1000 Custer Hollow Road
Clarksburg, WV 26306

-2-

If you are dissatisfied with my action on your appeal, you may seek judicial review in accordance with 5 U.S.C. § 552(a)(4)(B).

Sincerely,

A handwritten signature in dark ink, appearing to read "Richard L. Huff", written over a rectangular box.

Richard L. Huff
Co-Director

Enclosure