



# University of Pittsburgh

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November 21, 2014

Freedom of Information Act Appeal  
Officer in Charge  
Personnel Support Detachment, Fort Meade  
2234 Huber Road, Suite 5255  
Maryland 20755-5255

Re: Freedom of Information Act Appeal

Dear Sir or Madam:

This is an appeal under the Freedom of Information Act/Privacy Act. I represent Matthew Kelly, who is the subject of the requested documents.

On August 25, 2014, you were sent a request under the Freedom of Information Act/Privacy Act. On October 6, 2014 a follow up request was send. On October 15<sup>th</sup>, 2014, I received a response to the requests in a letter signed by Lt. A.W. Joseph. Copies of the two requests and the response are attached.

This appeal is based upon insufficiency of the search. Pursuant to MILPERSMAN 1910-702 1(a)3 General Guidance for Separation Authorities (SA) if a servicemember has been diagnosed with post-traumatic stress disorder (PTSD) or traumatic brain injury (TBI) the final determination regarding separation must come from the Chief of Naval Personnel or higher authority. [REDACTED] Moreover, a subsequent memorandum from the Superintendent of the Naval Academy to Commander, Naval Personnel Command dated January 27, 2014 highlighted this issue.

We assume that procedures were complied with, and that Naval Personnel Command took some action in response to the January 27, 2014 memorandum, and therefore electronic or written records exist that were not produced.

Thank you for your consideration of this appeal.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jason W. Manne', with a long horizontal stroke extending to the right.

Jason W. Manne  
Adjunct Professor of Law