

UNITED STATES DISTRICT COURT

DISTRICT OF COLUMBIA

Carlton Hooker Jr.,

Plaintiff

USDC No. 21-cv-01691

Vs .

Date: June 28, 2021

Department of Veterans Affairs

Defendant

SUPPLEMENTAL EVIDENCE FREEDOM OF INFORMATION ACT COMPLAINT

At this time, I Plaintiff,(Carlton E. Hooker Jr.) will provides supplement evidence to expose the fraudulent cover up of evidence by Ms. Karen Mulcahy for which I believe she instructed Ms. Deana Marakowski to improperly withhold Attachment A which was listed as evidence in the 10/4/16 Request for No. Engagement Memorandum from Plaintiff -Mr. Carlton E. Hooker Jr.

SUPPLEMENTAL EVIDENCE

On the date of February 4, 2021, I made a FOIA Request for a copy of Attachments A thru F that were attached to the 10/4/16 Memorandum from the office of Acting DUSHOM -Steve Young Requesting Assignment to No Engagement Status for Veteran, Carlton Hooker for which I attached a copy of the Memorandum in question.

Refer to: Gmail - FOIA Request for a copy of Attachments A thru F that were attached to the 10 4 16 Memorandum from the office of Acting DUSHOM -Steve Young Requesting Assignment to No Engagement Status for Veteran, Carlton Hooker

In the context of the 10/4/16 Memorandum, it states as follows:

3. Mr. Hooker has unsuccessfully pursued over 20 legal cases against the VA since his termination. He has also filed personal lawsuits against OGC and DOJ attorneys, Judges, and individual staff of BPVAHCS including it's former Director. An EEOC Judge described his behaviors as contumacious, antagonistic and very aggressive. Attachment A. That Memorandum also lists the following: 4. U.S District Court Order. Attachment B

Refer to: 10.4.16 - Request for No Engagement Memo - Hooker

On February 25, 2021, Ms. Deana Marakowski provided me with a response to the February 4, 2021 for which fraudulently lists Attachments A and B as the same document in 21-05076-FP IAD for which she states as follows:

Attachment A: U.S. District Court Order No. 8:15-cv750-T-30TGW. On February 2, 2018 VHA rendered a copy of this document, U.S. District Court Order No. 8:15-cv750-T-30TGW to you in response to FOIA tracking numbers 17-05474-F and 17-07439-F. The document was Bates page numbered 000014-000017. In response to your current FOIA request 21-05076-FP VHA is reissuing this document to you noting that the Bates numbering remains 000014-000017.

Attachment B: U.S. District Court Order No. 8:15-cv750-T-30TGW. On February 2, 2018 VHA rendered a copy of this document, U.S. District Court Order No. 8:15-cv750-T-30TGW to you in response to FOIA tracking numbers 17-05474-F and 17-07439-F. The document was Bates page

numbered 000014-000017. In response to your current FOIA request 21-05076-FP VHA is reissuing this document to you noting that the Bates numbering remains 000014-000017.

Refer to: 20-05076-FP IAD

I will attach a copy of the US District Court Order No. 8:15-cv750-T-30TGW signed by US District Judge, James S. Moody Jr. on April 1, 2015, which is referenced only as Attachment B. Upon your review of the Order, you will see that there is no mention of an EEOC Judge describing my behaviors as contumacious, antagonistic and very aggressive.

Refer to: US District Court Order - Bates No. 000014-000017 - Attachment B.

Now, I will now attach my copy of the EEOC Order as evidence, which shows that only myself and Karen Mulcahy have the order from EEOC Case No. 510-2013-00394X which references contumacious, antagonistic and aggressive behavior, as noted in the 10/4/16 Request for No. Engagement Memorandum, for which I highlighted my copy of that statement in yellow to ensure that Ms. Mulcahy wouldn't attempt to use it as her copy.

Refer to: Carlton Hooker copy of EEOC Order that he would not have submitted to get himself banned

On June 21, 2021, Plaintiff filed a lawsuit against the Department of Veterans Affairs for Improperly Withholding their copy of Attachment A that was submitted to them by Bay Pines Regional Counsel Attorney, Karen Lynn Mulcahy as evidence in the 10/4/16 Request for No. Engagement Memorandum, for which I have now established that only two (2) people had a copy

of Attachment A, and that would be myself and Bay Pines Regional Counsel Attorney, Karen Lynn Mulcahy.

PRAYER FOR RELIEF

Plaintiff, Pro-Se Carlton E. Hooker Jr. hereby request that the Court issues the following:

- A Court Order instructing the Department of Veterans Affairs, to produce and turn over the EEOC Order Attachment A, which was submitted as Supporting Documentation only by OGC Regional Counsel Attorney, Karen Lynn Mulcahy in the October 4, 2016 Request for No Engagement on the Plaintiff.

NOTE: Failure to comply with a court order to produce the records in question may also result in punishment for contempt the responsible official, Bay Pines OGC Regional Counsel Attorney, Karen Lynn Mulcahy, who may be charged with Concealment or Destruction of a Government Record under 18 USC 2071(b)

- Plaintiff hereby requests sanctions against the above referenced individual agencies employee, OGC Regional Counsel Attorney - Karen Lynn Mulcahy and anyone else who instructed her to conceal a government record in accordance with the following: United States Department of Justice, 137. SANCTIONS FOR VIOLATING FOIA where it states as follows: Action against Individual Employees: Sanctions may be taken against individual agency employees who are found to have acted arbitrarily or capriciously in improperly withholding records. Additionally, the court must award attorney fees and other litigation costs against the government and Plaintiff hereby requests in accordance with

United States Department of Justice, 137. SANCTIONS FOR VIOLATING FOIA as follows: When the statutory requirements are found by the Court to have been met, the Merit Systems Protection Board (MSPB) must promptly initiate a proceeding to determine whether disciplinary action is warranted against the office or employee who is primarily responsible for the withholding. The MSPB, after investigating and considering the evidence, submits its findings and recommendations to the agency concerned which then is required to take the corrective action recommended by the Board. See 5 U.S.C. Sec. 552(a)(4)(F). Additionally, there now exists independent jurisdiction for such MSPB investigations under 5 U.S.C. Sec. 1206(e)(1) (1982).

- If Ms. Karen Mulcahy turns Attachment A over then Ms. Deana Marakowski will be in big time trouble for providing me with a fraudulent FOIA Response as it pertains to numerous FOIA Requests for which she could be charged under 18 U.S. Code § 1001 - Statements or entries generally where it states as follows:

(a)Except as otherwise provided in this section, whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully—

(1)falsifies, conceals, or covers up by any trick, scheme, or device a material fact;

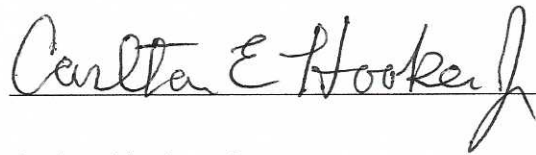
(2)makes any materially false, fictitious, or fraudulent statement or representation; or

(3)makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry;

shall be fined under this title, imprisoned not more than 5 years. Or

- However, If Ms. Deana Marakowski goes back and orders Ms. Karen Mulcahy to produce her copy of Attachment A that she has been concealing for over 4 years, and Ms. Mulcahy

produces it, then Ms. Mulcahy should be charged with Concealment of a Government Record under 18 U.S. Code § 2071(b) - Concealment, removal, or mutilation generally where it states as follows: (b)Whoever, having the custody of any such record, proceeding, map, book, document, paper, or other thing, willfully and unlawfully conceals, removes, mutilates, obliterates, falsifies, or destroys the same, shall be fined under this title or imprisoned not more than three years, or both; and shall forfeit his office and be disqualified from holding any office under the United States.

A handwritten signature in black ink that reads "Carlton E. Hooker, Jr." with a stylized flourish at the end.

Carlton Hooker, Jr.

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