



**DEPARTMENT OF THE NAVY**  
**OFFICE OF THE CHIEF OF NAVAL OPERATIONS**  
**2000 NAVY PENTAGON**  
**WASHINGTON, DC 20350-2000**

5720  
Ser DNS-36CA/21U113346  
March 25, 2021

Sent via email to: [shannonjames@militarydefense.com](mailto:shannonjames@militarydefense.com)

Mr. David P. Sheldon  
Law Offices of David P. Sheldon  
100 M Street SE  
Suite 600  
Washington, D.C. 20003

Dear Mr. Sheldon:

This is in reference to your Freedom of Information Act (FOIA)/Privacy Act (PA) request dated June 26, 2020. Your request was received in our office on the same day and assigned case number DON-NAVY-2020-009411.

In the course of processing your FOIA request this office previously wrote to you in regards to the multiple portions of this request. For the contents of this current letter, the remaining Naval entities all fall directly at the Chief of Naval Operations (CNO) and Secretary of the Navy (SECNAV) levels of command.

As such, our office contacted the SECNAV Office, the CNO office, the VCNO office, and Assistant Secretary of the Navy, Manpower and Reserve Affairs, (ASN MRA) to conduct a search for applicable records. Accordingly, those (that) office(s) searched their local files for records relating to "any investigations into alleged misconduct, and all documentation sent or received regarding CAPT Morris" and "a copy of any and all documents the Navy maintains on CAPT Morris which were sent or received to and/or from the following personnel between October 2015-July 2018: Maria Kurta-Civ, Anthony Kurta-Civ, Estella Murcia-Civ, Maren Leed-Civ, Susan Adams-Civ, CAPT Sam Paparo, CAPT Will Triplett, CAPT John Springett, CAPT Sharon Ruest, LCDR James Raymond, CDR Christopher Mullen, LCDR Shelby Nikitin, CDR Curt Larson, RDML Johnny Wolfe RDML Moises Deltoro, RDML Francis Morley."

ASN MRA has identified 5 records totaling 32 pages that are responsive to your request. Additionally, The SECNAV Office found 10 records responsive to your request. Upon review of the records from SECNAV, it has been determined that they contain instances of deliberative process privileged material, are predecisional in nature, and/or contain working versions of documents, and are thus exempt from disclosure under 5 U.S.C. §552(b)(5). These records were originated by or in concert with the SECNAV office, containing drafts and/or proposals of documents not in their final form, and, therefore, are exempt from disclosure in their entirety.

It has also been determined that the initial 5 records located by ASN MRA totaling 32 pages contain instances of personally identifiable information (PII), such as the names, dates of birth, and social security numbers of individuals. These instances of PII are exempt from disclosure under 5 U.S.C. § 552(b)(6), since release of this information would result in a clearly unwarranted invasion of their personal privacy. The remainder of the documents are released to you.

Because your request is partially denied, you have the right to an appeal. It must be received within 90 calendar days from the date of this letter. Please provide the appellate authority (see below) the following in an envelope marked "FOIA appeal":

- a letter requesting an appeal that explains what you are appealing with any supporting arguments or reasons you think may be worthy of consideration;
- a copy of your initial request;
- a copy of the letter of denial.

Also, please provide a copy of your appeal letter at [DONFOIA-PA@NAVY.MIL](mailto:DONFOIA-PA@NAVY.MIL)

There are two ways to file an appeal: through FOIAonline or by mail.

1. Through FOIAonline. This will work only if you set up an account on FOIAonline before you make the request that you would like to appeal. To set up an account, go to FOIAonline (this is a website that will appear as the top hit if you search the internet for "FOIAonline"), click "Create Account" (a link located within the blue banner at the top in the upper right corner), enter your data into the field that subsequently appears, and click "Save" (at the bottom left of the screen). With your account thereby created, you will have the power to file an appeal on FOIAonline to any request you file on FOIAonline thereafter. To do so, locate your request (enter a keyword or the request tracking number in the "Search for" field on the "Search" tab), click on it, then the "Create Appeal" tab in the left-hand column. Complete the subsequent field, click "Save," and FOIAonline will submit your appeal.
2. By mail. Address your appeal to:

Department of the Navy  
Office of the Judge Advocate General (Code 14)  
1322 Patterson Avenue SE, Suite 3000  
Washington Navy Yard, DC 20374-5066

For this determination, you have the right to seek dispute resolution services from either the DoD Navy Component FOIA Public Liaison, Mr. Chris Julka, at: [Christopher.a.julka@navy.mil](mailto:Christopher.a.julka@navy.mil), via phone: (703) 697-0031; or by contacting the Office of Government Information Services at: (<https://ogis.archives.gov/>), (202) 741-5770, [ogis@nara.gov](mailto:ogis@nara.gov).

Questions regarding the action this office has taken to process your request may be directed to our FOIA Service Center at (202) 685-0412 or via email at [donfoia-pa@navy.mil](mailto:donfoia-pa@navy.mil).

Sincerely,

*Gregory Cason*

G. Cason  
Deputy Director,  
DON FOIA/PA Program Office