

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

Ali Kourani, #79196-054  
USP Marion  
P.O. Box 1000  
Marion, IL 62959

Plaintiff,

v.

Executive Office For U.S. Attorneys  
FOIA Suite  
175 N Street, NE  
Washington, DC 20530

and

Central Intelligence Agency  
FOIA Coordinator  
935 Pennsylvania Avenue, NW  
Washington, DC 20535

and

United States Department of State  
2201 C Street, NW  
Washington, DC 20520

and

Federal Bureau of Investigation  
FOIA Office  
170 Marcel Drive  
Winchester, VA 22602

Defendants.

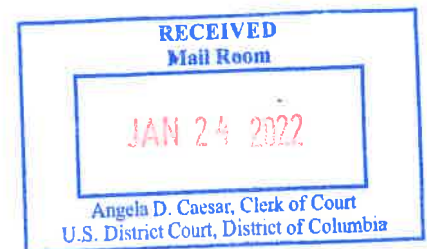
Case: 1:22-cv-00195 JURY DEMAND  
Assigned To : Unassigned  
Assign. Date : 1/24/2022  
Description: FOIA/Privacy Act (I-DECK)

Jury Trial

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

I. Jurisdiction and Venue

1. This is a civil action, authorized by the Freedom of Information Act, 5 USC 552(a)(4)(B), to redress the deprivation of rights, under color of federal law secured by the Constitution, laws, and treaties of the United States. This Court has jurisdiction pursuant to 28 USC 1331. This Court is



an appropriate venue, because it is where the events giving rise for this cause of action occurred. Plaintiff seeks declaratory relief, pursuant to 28 USC 2201 and 2202. Plaintiff seeks injunctive relief, pursuant to 28 USC 2283, 2284, and Rule 65 of the Federal Rules of Civil Procedure.

## II. Parties

2. Plaintiff, Ali Kourani, #79196-054, is an inmate currently housed at USP Marion, IL Communications Management Unit ("CMU"). Address: USP Marion, P.O. Box 1000, Marion, IL 62959-1000.
3. Defendant, Executive Office For U.S. Attorneys, 5th Floor, FOIA Suite, 175 N Street, NE, U.S. Department of Justice, Washington, DC 20530.
4. Defendant, Central Intelligence Agency, FOIA Coordinator, 935 Pennsylvania Avenue, NW, Washington, DC 20535.
5. Defendant, United States Department of State, 2201 C Street, NW, Washington, DC 20520.
6. Defendant, Federal Bureau of Investigation, FOIA Office, 170 Marcel Drive, Winchester, VA 22602.

## III. Statement of Claim

7. Plaintiff, Ali Kourani, is a federal inmate currently detained at the United States Penitentiary - Marion, Illinois, Communications Management Unit ("CMU"). See Federal Bureau of Prisons Program Statement 5214.02; Aref vs. Lynch, et al., 833 F.3d 242 (D.C. Cir. 2016). Since being in the CMU, Plaintiff has submitted multiple requests to the Executive Office For United States Attorneys, the Central Intelligence Agency, the United States Department of State, and the Federal Bureau of Investigation, pursuant to the FOIA/Privacy

Act. The following requests were submitted to these 4 agencies:

-Agency: United States Department of Justice  
Executive Office For U.S. Attorneys  
FOIA/PA Office

Subject: Memos, text messages and emails sent and/or received and/or exchanged between Assistant United States Attorneys that were assigned to prosecute the Plaintiff in [USA v. Ali Kourani, Case #1:17-CR-00417-AKH, Second Circuit], and others. In addition to Grand Jury transcripts and discovery material related to the above mentioned case.

-Agency: Central Intelligence Agency, FOIA/PA Office

Subject: All records in possession containing my name, Ali Kourani, SSN: XXX-XX-5961, DOB: XX-XX-1984.

-Agency: United States State Department, FOIA/PA Office

Subject: All records in possession containing my name, Ali Kourani, SSN: XXX-XX-5961, DOB: XX-XX-1984.

-Agency: Federal Bureau of Investigation

Subject: A copy of every memo, text message, and email, sent and/or received and/or exchanged between the FBI agents who investigated my case in USA vs. Kourani (1:17-CR-00417-AKH) and others from the time investigation opened till the time this request was received. In addition to all records pertaining to the above mentioned case.

8. With regard to Plaintiff's FIO requests:

-To Executive Office of U.S. Attorneys: The order was sent on 8/30/21 and the reply was received on 12/20/21 denying the requests, Request # EOUSA-2021-003418, after more than 70 days.

An appeal and rerequest was sent on 11/8/21 to the Office of Information Policy ("OIP"), they received the request on 12/2/21, assigned case #A-2022-00391, and after more than 30 days no response.

-To the CIA: A request was sent 8/25/21 and a new request was sent on 11/8/21 and no response was received even though 2 months had passed since the 2nd request.

-To the U.S. Department of State: Sent on 8/25/21. A response was received back on 12/21/21. Ref: F-2021-10201, denying all requests, more than 3 month delay of original request.

-To the FBI: A request was sent on 8/26/21. The reply was sent on 12/10/21 - request No. NFP-132797, denying all requests after more than 3 month delay after Plaintiff's request.

#### IV. Claims For Relief

9. The allegations contained in paragraphs 7-8, supra, are restated and reincorporated by reference within each of the following claims for relief.

I. Count One ----- Violation of the Freedom of Information Act.

10. Plaintiff contends that despite his properly filed FOIA/PA requests and appeals, EOUSA, CIA, FBI, and USDS have failed to produce any of the requested records within the time frames established by FOIA, and Plaintiff seeks a Court order, pursuant to 5 USC 552(a)(4)(B), ordering Defendants to produce the requested records.


#### V. Requested Relief

11. Wherefore, Plaintiff respectfully requests that this Court GRANT the following relief to which he may be entitled:

- A) A declaration that the acts/delays of the Defendants violated the Constitution, laws, and treaties of the United States.
- B) A preliminary injunction, later to be made permanent, ordering the release of the records.
- C) All other appropriate equitable relief.

Signed this 12 day of January, 2022.

I declare under penalty of perjury that the foregoing statements are true and correct.

  
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Ali Kourani, #79196-054  
United States Penitentiary - Marion  
P.O. Box 1000  
Marion, IL 62959