

United States District Court  
District Of Columbia

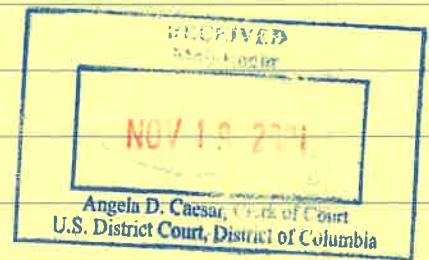
Jamal Shehadeh,

Plaintiff,

vs.

United States Department  
of Justice Executive Office  
for United States Attorneys,

Defendant.



Case: 1:21-cv-03087  
Assigned To : Unassigned  
Assign. Date : 11/19/2021  
Description: FOIA/Privacy Act (I-DECK)

Verified Freedom Of Information &  
Privacy Act Complaint

NOW COMES the prose Plaintiff, Jamal Shehadeh, and for his Verified Freedom Of Information & Privacy Act Complaint, under 5 U.S.C. 552(a), does state as follows:

1.) Plaintiff is a resident of Taylorville, Illinois, is currently committed to the custody of the U.S. Attorney General, and is temporarily housed at:

Jamal Shehadeh # 14187-026  
Christian County Sheriff's Office  
301 West Franklin Street  
Taylorville, IL 62568-0678;

2.) Defendant is the DOS's EOUSA and maintains offices at:

Suite 5.400, 3 CON Building  
175 N. Street, NE  
Washington, D.C. 20530;

3.) On or about 05 May 2021 Plaintiff served Defendant with a proper request for paper copies of all communications to and all communications from every employee of the Central District of Illinois office that pertain to Plaintiff; Exhibit A;

4.) On 24 June 2021 Defendant denied the request in its entirety, withholding 616 pages of records and failing to segregate;

5.) Again, on or about 01 September 2021, Plaintiff served Defendant with a proper request identical to that cited in paragraph three (3) above but increasing the range of dates of the search for responsive records to and including the date of this second request; Exhibit B;

6.) Defendant failed to timely respond to the request cited in paragraph five (5);

7.) On or about 01 September 2021 Plaintiff served Defendant with a third proper request for specific records. Ex. C;

8.) Defendant failed to timely respond to the request cited in paragraph seven (7);

9.) Defendant continues to deny Plaintiff access to public records.

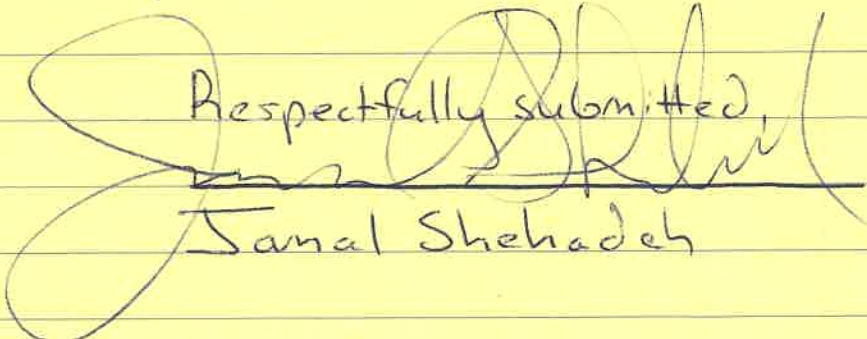
WHEREFORE Plaintiff prays for the following relief:

10.) Declare Defendant's withholding illegal;

11.) Order immediate production;

12.) Costs & expenses.

Respectfully submitted,

  
Sanal Shehadeh

Verification

I affirm under 18 U.S.C. 1001 that the foregoing is true.

  
③



U.S. Department of Justice

Executive Office for United States Attorneys

Freedom of Information and Privacy Staff

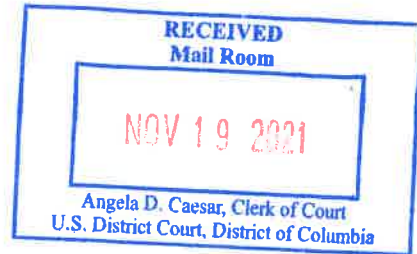
Suite 5.400, 3CON Building  
175 N Street, NE  
Washington, DC 20530

(202) 252-6020  
FAX (202) 252-6048

June 24, 2021

VIA First Class Mail

Jamal Shehadeh  
#14187-026  
301 W. Franklin St., Box 678  
Taylorville, IL 62568



Re: Request Number EOUSA-2021-002037  
Date of Receipt: May 05, 2021  
Subject of Request: Self (all)

Dear Mr. Shehadeh:

Your request for records under the Freedom of Information Act/Privacy Act has been processed. This letter constitutes a reply from the Executive Office for United States Attorneys, the official record-keeper for all records located in this office and the various United States Attorneys' Office.

To provide you with the greatest degree of access authorized by the Freedom of Information Act and the Privacy Act, we have considered your request in light of the provisions of both statutes. The records you seek are located in a Privacy Act system of records that, in accordance with regulations promulgated by the Attorney General, is exempt from the access provisions of the Privacy Act. 28 CFR § 16.81. We have also processed your request under the Freedom of Information Act and are making all records required to be released, or considered appropriate for release as a matter of discretion, available to you.

Enclosed please find:

- 0 page(s) are being released in full (RIF);
- 0 page(s) are being released in part (RIP);
- 616 page(s) are withheld in full (WIF). **The redacted/withheld documents were reviewed to determine if any information could be segregated for release.**

The exemption(s) cited for withholding records or portions of records are marked below. An enclosure to this letter explains the exemptions in more detail.

Exemptions (b)(7)(A), (b)(5), (b)(6), (b)(7)(C). Also, the FOIA point of contact at the Central District of Illinois has informed us that there are some records that pertain to your case that are currently sealed. We also understand that the criminal case for which you are seeking records is currently pending in U.S. District Court for the Central District of Illinois, and a trial date has not been scheduled as of yet.

(4)

Ex-A

This is the final action on this above-numbered request. If you are not satisfied with my response to your request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Sixth Floor, 441 G Street, NW, Washington, DC 20530 or you may submit an appeal through OIP's FOIA STAR portal by creating an account following the instructions on OIP's website: <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically transmitted within ninety (90) days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

You may contact our FOIA Public Liaison at the Executive Office for United States Attorneys (EOUSA) for any further assistance and to discuss any aspect of your request. The contact information for EOUSA is 175 N Street, NE, Suite 5.400, Washington, DC 20530; telephone at 202-252-6020; or facsimile 202-252-6048. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001; e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,



Kevin Krebs  
Assistant Director

Enclosure(s)

**EXPLANATION OF EXEMPTIONS**

**FOIA: TITLE 5, UNITED STATES CODE, SECTION 552**

- (b) (1) (A) specifically authorized under criteria established by and Executive order to be kept secret in the in the interest of national defense or foreign policy and (B) are in fact properly classified pursuant to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual.
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

**PRIVACY ACT: TITLE 5, UNITED STATES CODE, SECTION 552a**

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to Executive Order 12356 in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability eligibility, or qualification for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his identity would be held in confidence.



**U.S. Department of Justice**

Executive Office for United States Attorneys

Freedom of Information and Privacy Staff

Suite 5.400, 3CON Building  
175N Street, NE  
Washington, DC 20530

(202) 252-6020

September 01, 2021

VIA

Jamal Shehadeh  
#14187-026  
301 W. Franklin St., Box 678  
Taylorville, IL 62568

Re: Request Number: EOUSA-2021-003190  
Subject of Request: specific records

Dear Jamal Shehadeh:

This letter acknowledges receipt of your Freedom of Information Act/Privacy Act (FOIA) request in the Executive Office for United States Attorneys (EOUSA). Your request has been assigned the above tracking number. Please refer to this number in any future correspondence with this Office.

*Please be advised that due to necessary operational changes as a result of the national emergency concerning the novel coronavirus disease (COVID-19) outbreak, there may be some delay in the processing of your request.*

The records you seek require a search in one or more field offices and potentially involves voluminous records and/or requires consultation with another agency/component with a substantial interest in the subject-matter and therefore falls within "unusual circumstances." See 5 U.S.C.S § 552(a)(6)(B)(i)-(iii). Accordingly, we are extending the time limit to respond to our request beyond the ten additional days provided by the statute. The time needed to process your request will necessarily depend on the complexity of our records search and on the volume and complexity of any records located. For your information, this Office assigns incoming requests to one of three tracks: simple, complex, or expedited. Each request is then handled on a first-in, first-out basis in relation to other requests in the same track. Simple requests usually receive a response in approximately 30 business days, whereas complex requests necessarily take longer. At this time, your request has been assigned to the complex track.

Under FOIA and Department of Justice regulations you may be required to pay certain

costs associated with processing your request, including, searching for, reviewing, and duplicating requested records. Consequently, you may incur those costs, unless you have requested and been granted a waiver or reduction in fees. If you have requested a fee waiver, we have not yet made a decision on your request. We will do so after we determine whether the processing of your request will result in any assessable fees. In most instances, the first 100 pages to duplicate and the first two hours to search for records responsive to your request, will be provided to you free of charge. If after making those allowances, we determine that the cost to process your request will amount to more than \$25.00, we will notify you in writing at a later date.<sup>1</sup> Requests that are specific, concrete and of limited scope (in time and/or subject matter) generally enable us to respond to you more quickly and possibly assess lower fees. To avoid delay and reduce any potential fees, we respectfully request that you modify and narrow the scope of your request (*See Attachment*).

You may contact our FOIA Public Liaison at the Executive Office for United States Attorneys (EOUSA) for any further assistance and to discuss any aspect of your request. The contact information for EOUSA is 175 N Street, NE, Suite 5.400, Washington, DC 20530; telephone at 202-252-6020. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001; e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,



Kevin Krebs  
Assistant Director

Attachment



**THIS IS NOT A BILL. DO NOT SEND MONEY**

Requester: Jamal Shehadeh

Request No. EOUSA-2021-003190

**CHOOSE ONE**

I wish to narrow my request in an attempt to obtain a quicker response and/or reduce fees as follows:

I understand that I am entitled to the first 100 pages and two hours of search time for free. Please do not search beyond two hours, nor duplicate beyond 100 pages.

I agree to pay up to the following amount for duplication and search time: \$\_\_\_\_\_.

**I understand that this payment is required even if no documents are located or released to me.** In the event that documents are located and released to me, I understand that I may be charged duplication fees in addition to search fees.

I wish to withdraw my request.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Please return to:  
EOUSA  
FOIA/PA  
175 N Street, NE, 5<sup>th</sup> Floor, FOIA Suite  
Washington, DC 20530



**U.S. Department of Justice**

**Executive Office for United States Attorneys**

Freedom of Information and Privacy Staff

Suits 5.400, 3CON Building  
175N Street, NE  
Washington, DC 20530

(202) 252-6020

September 01, 2021

VIA

Jamal Shehadeh  
#14187-026  
301 W. Franklin St., Box 678  
Taylorville, IL 62568

Re: Request Number: EOUSA-2021-003189  
Subject of Request: Copies of the government's and defendant's supplemental brief in  
U.S. v. Cole

Dear Jamal Shehadeh:

This letter acknowledges receipt of your Freedom of Information Act/**Privacy Act** (FOIA) request in the Executive Office for United States Attorneys (EOUSA). Your request has been assigned the above tracking number. Please refer to this number in any future correspondence with this Office.

*Please be advised that due to necessary operational changes as a result of the national emergency concerning the novel coronavirus disease (COVID-19) outbreak, there may be some delay in the processing of your request.*

The records you seek require a search in one or more field offices and potentially involves voluminous records and/or requires consultation with another agency/component with a substantial interest in the subject-matter and therefore falls within "unusual circumstances." See 5 U.S.C.S § 552(a)(6)(B)(i)-(iii). Accordingly, we are extending the time limit to respond to our request beyond the ten additional days provided by the statute. The time needed to process your request will necessarily depend on the complexity of our records search and on the volume and complexity of any records located. For your information, this Office assigns incoming requests to one of three tracks: simple, complex, or expedited. Each request is then handled on a first-in, first-out basis in relation to other requests in the same track. Simple requests usually receive a response in approximately 30 business days, whereas complex requests necessarily take longer. At this time, your request has been assigned to the complex track.

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Kevin Krebs  
Assistant Director

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Signature

\_\_\_\_\_  
Date

Please return to:  
EOUSA  
FOIA/PA  
175 N Street, NE, 5<sup>th</sup> Floor, FOIA Suite  
Washington, DC 20530