

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

LOUISE TRAUMA CENTER LLC
1234 Mass Ave NW #1023
Washington DC 20005

Plaintiff

v. Civil Action No. 22- cv-1917 ()

UNITED STATES
CITIZENSHIP AND IMMIGRATION SERVICES
5900 Capital Gateway Drive
Camp Springs MD 20588

Defendant

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

1. This is a Freedom of Information Act [FOIA] case. Defendant has failed to respond to six requests of the Louise Trauma Center, LLC. All of the requests were received over 20 working days ago.

JURISDICTION

2. This Court has both subject matter jurisdiction over this action and personal jurisdiction over Defendant pursuant to 5 U.S.C. § 552(a) (4) (B) and 28 U.S.C. § 1331. This Court has jurisdiction to grant declaratory and other necessary relief pursuant to 28 U.S.C. § 2201-02.

VENUE

3. Venue is appropriate under 5 U.S.C. § 552(a) (4) (B), and 28 U.S.C. § 1391, because the defendant is located in the District of Maryland.

PARTIES

4 Plaintiff Louise Trauma Center, LLC, [“Louise Trauma”] is a nonprofit organization formed in the District of Columbia. It is a domestic limited liability company, under D.C. Code § 29-801.05. It has made FOIA requests in the past, and will continue to do so in the future.

5. Louise Trauma is dedicated to raising awareness about immigrant women who have suffered from gender-based violence such as female genital mutilation (FGM), rape, domestic violence, and forced marriage. It helps these women seek asylum. It publicizes and educates. It sets forth new asylum cases, briefs, reports, and analysis on the law surrounding these women and their issues.

6. Defendant United States Citizenship and Immigration Services (“CIS”) is an agency within the meaning of 5 U.S.C. § 552(e) and 701(b) (1), and is in possession and/or control of the records requested by Louise Trauma.

FIRST CAUSE OF ACTION ”train the trainer instructions”

7. Louise Trauma repeats, re-alleges, and incorporates by reference the allegations contained in all paragraphs set forth above.

8. Louise Trauma requested records concerning “Train the trainer instructions from asylum Headquarters to asylum offices that were delivered to each asylum office, from January 1, 2020 to the date you begin to search.”

9. The defendant received that request on May 4, 2020 and assigned it COW 2020 000 871.

10. The defendant has failed to make a determination about that request. The defendant failed to produce any records within the statutorily mandated time frame. Defendant is still in violation of 5 U.S.C. § 552(a)(6)(A)(i).

11. Louise Trauma has the legal right under FOIA to obtain all of the records requested.

No legal basis exists for the defendant's failure to make the records available.

12. Defendant has violated the FOIA, 5 U.S.C. §§ 552(a). CIS's wrongful withholding of the records violates the FOIA, § 552(a) (3) (A).

13. Louise Trauma has exhausted all the necessary administrative remedies.

SECOND CAUSE OF ACTION “quarterly training reports”

14. Louise Trauma repeats, re-alleges, and incorporates by reference the allegations contained in all paragraphs set forth above.

15. Louise Trauma requested records concerning “quarterly training reports of the weekly training activities in the Arlington asylum office for each week”

15a. The defendant received that request on July 30, 2020 and assigned it COW 2020 001 885.

16. Defendant has failed to make a determination about that request. Defendant is still in violation of 5 U.S.C. § 552(a) as set forth above.

17. Louise Trauma has exhausted all the necessary administrative remedies.

THIRD CAUSE OF ACTION “Officer performance plan”

18. Louise Trauma repeats, re-alleges, and incorporates by reference the allegations contained in all paragraphs set forth above.

19. Louise Trauma requested records “concerning, or records which are the ‘Asylum Officer Performance Plan & Appraisal’ dated from 1-1-20 to the date you begin to search.”

20. The defendant received that request on August 16, 2020 and assigned COW 2020 002113 to it.

21. Defendant has failed to make a determination about that request. Defendant is still in violation of 5 U.S.C. § 552(a).

22. Louise Trauma has exhausted all the necessary administrative remedies.

FOURTH CAUSE OF ACTION “Functional profiles”

23. Louise Trauma repeats, re-alleges, and incorporates by reference the allegations contained in all paragraphs set forth above.

24. Louise Trauma requested a copy of “the USCIS Functional Profiles document.”

25. Defendant received that request on November 3, 2020 and assigned COW 2020 003 229 to it.

26. Defendant has failed to make a determination about that request. Defendant is still in violation of 5 U.S.C. § 552(a).

27. Louise Trauma has exhausted all the necessary administrative remedies.

FIFTH CAUSE OF ACTION “Mexico”

28. Louise Trauma repeats, re-alleges, and incorporates by reference the allegations contained in all paragraphs set forth above.

29. Louise Trauma requested “a copy of the materials in ‘RAIO Research Unit page on Mexico at

<http://ecn.uscis.dhs.gov/team/raio/Research/RUResources/SitePages/Resources%20-20%Mexico.aspx>”

30. The defendant received that request on November 30, 2020 and assigned it COW 2020 003 559.

31. Defendant has failed to make a determination about that request. Defendant is still in violation of 5 U.S.C. § 552(a) as set forth above.

32. Louise Trauma has exhausted all the necessary administrative remedies.

SIXTH CAUSE OF ACTION “HQ Quality Assurance”

33. Louise Trauma repeats, re-alleges, and incorporates by reference the allegations contained in all paragraphs set forth above.

34. Louise Trauma requested records “sent by the Asylum HQ Quality Assurance Branch to asylum offices from January 1, 2020 to the present.”

35. The Defendant received that request on November 30, 2020 and assigned COW 2020 003 560 to it.

36. Defendant has failed to make a determination about that request. Defendant is still in violation of 5 U.S.C. § 552(a).

37. Louise Trauma has exhausted all the necessary administrative remedies.

PRAYER FOR RELIEF

38. WHEREFORE, plaintiff Louise Trauma prays that judgment be entered in its favor against DHS; and that the Court:

39. Order Defendant to promptly disclose all of the requested records;

40. Declare that defendant’s inaction and actions violate the FOIA;

41. Award Louise Trauma reasonable attorney fees and costs pursuant to 5 U.S. C. §552(a) (4) (E); and

42. Grant all other such relief to Louise Trauma as the Court deems proper and equitable.

Respectfully submitted,

Attorney for Plaintiff Louise Trauma Center LLC

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