

# EXHIBIT C

**The Director, Office of Information Policy, U.S. Department of Justice,  
Denial of Plaintiff's FOIA Appeal, Denial of Record Dated May 30,  
2015 Dated July 6, 2015 ..... 26-30**



**U.S. Department of Justice**  
Office of Information Policy  
Suite 11050  
1425 New York Avenue, NW  
Washington, DC 20530-0001

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Telephone: (202) 514-3642

Mr. Brian T. Brantley  
2190 Sunshine Boulevard  
Naples, FL 34116

Re: Appeal No. AP-2015-02798  
Request No. 15-00162-P  
SRO:RRK

**VIA: U.S. Mail**

Dear Mr. Brantley:

You attempted to appeal from the failure of DEA to respond to your request for access to records concerning yourself, specifically DEA File No. GU-98-0047.

DEA responded to your request by letter dated April 1, 2015 (copy enclosed). Because DEA responded to your request, your appeal from DEA's failure to respond to your request is moot. Accordingly, I am closing your appeal file in this Office.

Sincerely,

7/6/2015

X 

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Sean R. O'Neill  
Chief, Administrative Appeals Staff  
Signed by: Sean O'Neill



**U.S. Department of Justice**  
Drug Enforcement Administration  
FOI/Records Management Section  
8701 Morrisette Drive  
Springfield, Virginia 22152

**APR 01 2015**

Case Number: 15-00162-P

Subject: BRANTLEY, BRIAN TIMOTHY – DEA INVESTIGATIVE FILE NO. GU-98-0047

Brian Timothy Brantley  
2190 Sunshine Boulevard  
Naples, Florida 34116

Dear Mr. Brantley:

This letter responds to your Freedom of Information/Privacy Act (FOI/PA) requests dated December 04, 2014 and your Reformulation letter dated February 20, 2015, addressed to the Drug Enforcement Administration (DEA), Freedom of Information/Privacy Act Unit (SARF), seeking access to information regarding the above subject.

After reviewing your request as constituted we conducted a preliminary query for responsive records pertaining to the above subject of your request. To search for responsive records, we queried the DEA Investigative Reporting, and Filing System (IRFS). IRFS is the system of records that contains all administrative, general and investigative files compiled by DEA for law enforcement purposes. DEA retrieves investigative information about an individual, an operation or company from the IRFS using the DEA Narcotics and Dangerous Drug Information System (NADDIS). Individuals are indexed, identified, and retrieved through NADDIS using their name, Social Security Number, and/or date of birth. As a result of our search, responsive records were located.

The processing of your request identified certain materials that will be released to you. Portions not released are being withheld pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and/or the Privacy Act, 5 U.S.C. § 552a. Please refer to the list enclosed with this letter that identifies the authority for withholding the deleted material, which is indicated by a mark appearing in the block next to the exemption. An additional enclosure with this letter explains these exemptions in more detail.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. § 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

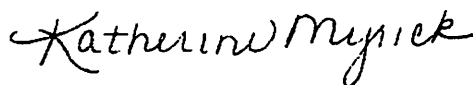
Case Number: 15-00162-P

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If you are not satisfied with the response to this request, you may administratively appeal by writing to the Director, Office of Information Policy, United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's eFOIA portal at <http://www.justice.gov/oip/efoia-portal.html>. Your appeal must be received within sixty (60) days from the date of this letter. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

If you have any questions regarding this letter, you may contact Government Information Specialist Rita A. Cuellar on 202-307-7610.

Sincerely,



Katherine L. Myrick, Chief  
Freedom of Information/Privacy Act Unit  
FOI/Records Management Section

Enclosures

Number of pages withheld: 50

Number of pages released: 64

**Number of pages previously processed: 10 pages  
Under Case Number: 10-00545-FP**

Number of pages referred: 00

Number of pages consulted: 00

**APPLICABLE SECTIONS OF THE FREEDOM OF INFORMATION AND/OR PRIVACY ACT:**

Freedom of Information Act 5 U.S.C. 552			Privacy Act 5 U.S.C. 552a	
<input type="checkbox"/> (b)(1)	<input type="checkbox"/> (b)(5)	<input checked="" type="checkbox"/> (b)(7)(C)	<input type="checkbox"/> (d)(5)	<input type="checkbox"/> (k)(2)
<input type="checkbox"/> (b)(2)	<input type="checkbox"/> (b)(6)	<input checked="" type="checkbox"/> (b)(7)(D)	<input checked="" type="checkbox"/> (j)(2)	<input type="checkbox"/> (k)(5)
<input type="checkbox"/> (b)(3)	<input type="checkbox"/> (b)(7)(A)	<input checked="" type="checkbox"/> (b)(7)(E)	<input type="checkbox"/> (k)(1)	<input type="checkbox"/> (k)(6)
<input type="checkbox"/> (b)(4)	<input type="checkbox"/> (b)(7)(B)	<input checked="" type="checkbox"/> (b)(7)(F)		

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(b)(1) Information which is currently classified pursuant to Executive Order in the interest of the national defense or foreign policy.

(b)(2) Materials related solely to the internal rules and practices of DEA.

(b)(3) Information specifically exempted from disclosure by another federal statute.

(b)(4) Privileged or confidential information obtained from a person, usually involving commercial or financial matters.

(b)(5) Inter-agency or intra-agency documents which are subject to a privilege, such as documents the disclosure of which would have an inhibitive effect upon the development of policy and administrative direction, or which represent the work product of an attorney, or which reflect confidential communications between a client and an attorney.

(b)(6) Materials contained in sensitive records such as personnel or medical 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 to 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, including a State, local or foreign agency or authority or any private institution which furnished information on a confidential basis; and, in the case of a record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by 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.

FREEDOM OF INFORMATION ACT  
SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

(d)(5) Materials compiled in reasonable anticipation of a civil action or 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 in the interest of the national defense or foreign policy.

(k)(2) Material compiled during civil investigations for law enforcement purposes.

(k)(5) Investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications 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 an express promise that his identity would be held in confidence, or pursuant to an implied promise of confidentiality if such information was furnished prior to September 27, 1975.

(k)(6) The substance of tests used to determine individual qualifications for appointment or promotion in Federal Government Service.

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**15-00162-P**  
**Brian Timothy Smith**  
**2190 Sunshine Boulevard**  
**Naples, Florida 34116**

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

Agent  
 Addressee  
 X *Brian Timothy Smith*

B. Received by (Printed Name)

*SMITH*  
 Yes  
 No

D. Is delivery address different from item 1? If YES, enter delivery address below:

Yes  
 No

3. Service Type

- Certified Mail
- Registered Mail
- Insured Mail
- Return Receipt for Merchandise
- C.O.D.
- Restricted Delivery? (Extra Fee)
- Yes
- No

2. Article No. **RE 035 877 487 US**  
 (Transfer)

PS Form 3811, February 2004 Domestic Return Receipt

102506-02-M-1540-1