

Joseph Cheavens

From: Joseph Cheavens <joesr@cheavens.com>
Sent: Wednesday, January 20, 2016 8:05 PM
To: 'Marchak, Elizabeth A -FS'
Subject: RE: FOIA Appeal Acknowledgement 2016-FS-WO-00015-A

The silence from your end is deafening. When may I expect a response to my appeal?

From: Marchak, Elizabeth A -FS [mailto:emarchak@fs.fed.us]
Sent: Thursday, December 31, 2015 12:09 PM
To: Joseph Cheavens <Joseph.Cheavens@cheavens.com>
Cc: 'Kellogg, Ian (USACO)' <Ian.Kellogg@usdoj.gov>
Subject: RE: FOIA Appeal Acknowledgement 2016-FS-WO-00015-A

Hello Mr. Cheavens, Thank you for your email. I am sorry for the delay, but I am working to ensure that you receive all the records you are entitled to under the FOIA. I have been on leave over the holidays, but will resume work on your appeal as soon as I return to work on Monday.

Thank you,

Elizabeth Marchak



Elizabeth A. Marchak
FOIA/PA Analyst
Forest Service
FOIA/Office of Regulatory and Management Services
P:202-401-4410
emarchak@fs.fed.us
201 14th Street SW
Washington, DC 20250
www.fs.fed.us



Caring for the land and serving people

From: Joseph D. Cheavens [mailto:joesr@cheavens.com] **On Behalf Of** Joseph Cheavens
Sent: Monday, December 28, 2015 2:13 PM
To: Marchak, Elizabeth A -FS
Cc: 'Kellogg, Ian (USACO)'
Subject: RE: FOIA Appeal Acknowledgement 2016-FS-WO-00015-A

The silence from your end is deafening. The end of the week of December 14 came and went, Christmas week came and went. The issues presented are straightforward and clearly presented. There can be no conceivable excuse for this delay.

From: Marchak, Elizabeth A -FS [<mailto:emarchak@fs.fed.us>]
Sent: Monday, December 14, 2015 3:05 PM
To: Joseph Cheavens <joesr@cheavens.com>
Cc: Marchak, Elizabeth A -FS <emarchak@fs.fed.us>
Subject: RE: FOIA Appeal Acknowledgement 2016-FS-WO-00015-A

Hello Mr. Cheavens, Thank you for your email. As we noted in our response to your appeal, we do have a large backlog of requests and appeals. That said, I am nearly finished with my review of your appeal and I expect to have my work on the appeal wrapped up by the end of the week.

I will be back in touch with more information.

Thank you again for your email.

Elizabeth Marchak



Elizabeth A. Marchak
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Caring for the land and serving people

From: Joseph Cheavens [<mailto:joesr@cheavens.com>]
Sent: Sunday, December 13, 2015 3:31 PM
To: FS-wo FOIA; Marchak, Elizabeth A -FS
Subject: FW: FOIA Appeal Acknowledgement 2016-FS-WO-00015-A

Under 5 USC Section 552(a)(6)(A) the Forest Service had 20 business days to respond to my appeal which you acknowledge receiving on October 26. More than 20 days has expired and I have received no response from the Forest Service. Please advise status. Perhaps I should proceed at this point to file suit in federal court to get the Forest Service to obey its statutory obligations.

From: Sanders, Maria [mailto:wo_foia@fs.fed.us]
Sent: Monday, October 26, 2015 10:18 AM
To: joesr@cheavens.com
Cc: wo_foia@fs.fed.us; emarchak@fs.fed.us
Subject: FOIA Appeal Acknowledgement 2016-FS-WO-00015-A

Dear Mr. Cheavens:

This e-mail acknowledges receipt of your Freedom of Information Act (FOIA) appeal dated October 23, 2015,

which was received in the Washington Office (WO) FOIA Service Center, Office of Regulatory and Management Services on October 26, 2015. You are appealing the final response in 2015-FS-R2-04074-F.

Please note that in accordance with Title 7 CFR, Subtitle A, 1.14 appeals, our final appeal response may require review by the USDA Office of General Counsel (OGC) for legal sufficiency. Once OGC has completed their review, our final determination will be provided to you. In addition, the WO FOIA Service Center has a backlog of pending FOIA requests and appeals. We are diligently working to process each requests and appeal in the order in which it was received. Your patience is greatly appreciated.

To check on the status of your request, you may contact Elizabeth Marchak via email at emarchak@fs.fed.us. Please reference your assigned case number, 2016-FS-WO-00015-A.
Thank you,

Raynell D. Lazier
Freedom of Information Act/Privacy Act Officer