

EXHIBIT P

From: [Barbara Kowal](#)
To: foiamail@atf.gov
Cc: [Todd Doss](#); [Steven Malone](#); [Morris Moon](#); [Morris Moon](#)
Subject: *Confidential: FBI FOIA referral 1382881-0 to ATF
Date: 05/22/2018 09:36 AM
Importance: High
Attachments: 2018-05-22 BK FOIA to ATF re FBI.pdf

Please see attached FOIA request for records related to FBI's FOIA referral to your agency.



Sincerely,

Barbara Kowal, FRP
Paralegal Specialist
Office of the Federal Public Defender
Middle District of Florida
201 S. Orange Avenue, Suite 300
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FEDERAL DEFENDER

Middle District of Florida

May 22, 2018

Via Email: foiamail@atf.gov and Fed Ex

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Bureau of Alcohol, Tobacco, Firearms, Explosives
Attn: Disclosure Division, Room 1 E400
99 New York Avenue, NE
Washington, DC 20226

RE: FBI FOIPA Request No.: 1382881-0 – Referred to ATF
United States v Varela, et al. - SDFL 9:06-Cr-80171-DTKH

This is a Capital Habeas Case; Expedited Processing Requested

Dear Sir/Madam:

Please be advised our office has been appointed to represent Daniel Troya in Capital Habeas proceedings. This request for records is related to our representation and our official request for a copy of ATF's files pursuant to the Freedom of Information act, 5 U.S.C. § 552. On or about August 29, 2017 our office received a response from the Federal Bureau of Investigation referring our office to seek any records related to above-referenced case to your agency. I respectfully request a copy of any and all files, records, etc., in the possession of the ATF, or in the possession of the Department of Justice related to FBI's referral to your agency related to their FOIA request number 1382881-0. Please refer to the enclosed copy of FBI's referral for reference.

For purposes of this request the terms " records," "documents," and "files" are intended to include, without limitation, any and all written, typed, printed, recorded, graphic, computer-generated or other matter of any kind from which information can be derived, whether produced, reproduced, or stored on paper, cards, tapes, films electronic facsimiles, computer storage devices or any other medium. These terms also include, without limitation, letters, memoranda (including internal memoranda), calendars, schedules, books, indices, notes, printed forms, publications, press releases, notices, memoranda, minutes, summaries or abstracts, reports, files, transcripts, computer tapes, printouts, drawings, photographs, recordings (including videotapes, audiotapes, CD' s, CD-Rom' s, or DVD's or any other form of electronic recordation), telegrams, facsimiles, telex messages, emails, as well as any reproductions thereof that differ in any way from any other reproduction, such as copies containing marginal notations.

Federal Defender, Middle District of Florida

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These documents are necessary to the conduct of a civil proceeding which is progressing on a fast time table, I request that you expedite your response to and processing of this request. I respectfully request production of the requested records on or before the close of business Friday, June 22, 2018.

Our office is part of the Judicial Branch of the United States Government. We are appointed to represent indigent defendants charged with a federal offense, therefore, charges are usually waived. Our agency does not have a business/bank account. Payments for services rendered are paid through the United States Treasury. Because we are a government agency, our office is not permitted to pay in advance for service rendered until we are in actual receipt of the requested documentation. However, upon receipt of an estimate, our office can prepare a purchase order which guarantees payment upon receipt of the requested records and your final invoice. If the cost of the reproduction of the requested copies exceeds \$100.00, please contact me for authorization.

If feasible, our office would prefer the records in electronic format "pdf or "tiff on a CD/DVD. If this option is not available please mail the records to my attention in our Orlando office. If the records have been purged, destroyed or lost, please send an official written response with your agency's record retention policy and procedures noting the date the records were purged, destroyed or lost. Should you have any questions regarding this request please contact me directly at Barbara_kowal@fd.org or 407-648-6760 ext. 1116.

Thank you for your prompt assistance and I look forward to hearing from your agency.

Sincerely,



Barbara Kowal, FRP
Paralegal Specialist

Enclosures: Copy of FBI Correspondence dated August 23, 2017.



Federal Bureau of Investigation
Washington, D.C. 20535

August 23, 2017

MS. BARBARA KOWAL
FEDERAL PUBLIC DEFENDER, MDFL
SUITE 300
201 SOUTH ORANGE AVENUE
ORLANDO, FL 32801

FOIPA Request No.: 1382881-0
Subject: Troya, Daniel
(Request for ATF Files)

Dear Ms. Kowal:

This is in response to your request for records pertaining to the above listed Freedom of Information Act (FOIA) request.

Based on the information you have provided, we have routed your request to the federal agency most likely to have the records. All future inquiries concerning the status of your request should be addressed to the office listed below:

Bureau of Alcohol, Tobacco, Firearms and Explosives
Department of Justice
Suite 1E400
99 New York Avenue, NE
Washington, D.C. 20226

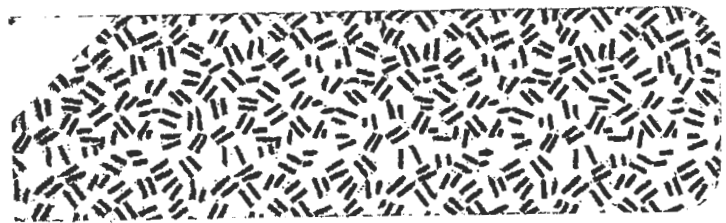
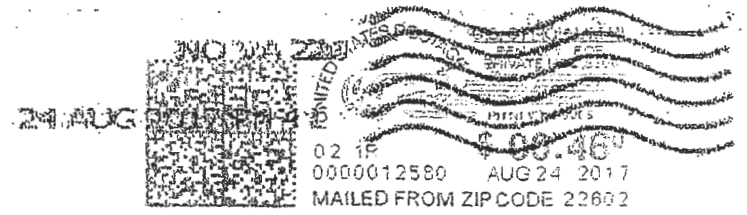
Sincerely,

A handwritten signature in black ink, appearing to read "D. Hardy", is positioned above the typed name and title.

David M. Hardy
Section Chief,
Record/Information
Dissemination Section
Records Management Division

Justice
investigation

12-4843



3260133417 CODE

