



U.S. Department of Justice

Bureau of Alcohol, Tobacco,  
Firearms and Explosives

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[www.atf.gov](http://www.atf.gov)

November 1, 2018

REFER TO: 2016-1152

Ms. Dana C. Hansen Chavis  
Assistant Federal Community Defender  
Federal Defender Services of Eastern Tennessee, Inc.  
800 S. Gay Street, Suite 2400  
Knoxville, Tennessee 37929-9714

Dear Ms. Chavis:

This responds to your Freedom of Information Act (FOIA)/Privacy Act request dated July 18, 2016, and received by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) on July 18, 2016, in which you requested records concerning a third party, David Anthony Runyon. Your request has been assigned number 2016-1152. Please refer to this number on any future correspondence.

At this time, the information you requested is related to ongoing litigation in federal court. Therefore, your request is denied pursuant to 5 U.S.C. § 552(b)(7)(A) because it concerns an action currently pending before a court. Exemption (b)(7)(A) authorizes us to withhold investigatory records or information compiled for law enforcement purposes, the release of which could reasonably be expected to interfere with enforcement proceedings. Disclosing these documents could reasonably be expected to cause harm to these court proceedings; such as disrupting, impeding, delaying, or otherwise harming the enforcement proceedings.

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). 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.

You may contact our FOIA Public Liaisons, Darryl Webb or Zina Kornegay, at (202) 648-7390, for any further assistance and to discuss any aspect of your request. 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, Room 2510, 8601 Adelphi Road, 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.

**Attachment D**

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Ms. Dana C. Hansen Chavis

If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), 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 FOIAonline portal by creating an account on the following web site: <https://www.foiaonline.gov/foiaonline/action/public/home>. Your appeal must be postmarked or electronically transmitted within 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."

Sincerely,

*/s/ Sophia Y. Kil*

Sophia Y. Kil  
Acting Chief  
Disclosure Division

**Attachment D**