

From: admin@foiaonline.gov
To: paul.odwyer@paulodwyerlaw.com
Subject: FOIA Expedited Processing Disposition Reached for EOUSA-2019-004614
Date: Tuesday, October 1, 2019 5:33:46 PM

Your request for Expedited Processing for the FOIA request EOUSA-2019-004614 has been denied. Additional details for this request are as follows:

- Request Created on: 09/20/2019
- Request Description: Any and all documents which mention or refer to Sergio de la Cruz, relating to or arising from the allegations in the complaint in US v. Luka Grishaj, Sergio de la Cruz, et al, Case No. 1:07-mj-01363, and the indictment in USA v. Grishaj, Case No. 07-cr—1158, filed in the Southern District of New York in 2007, including but not limited to:
Police reports, FBI reports, FBI Forms 302, DEA reports, DEA Forms DEA 6, warrant applications, whether filed or not, documents prepared for and/or filed in support of any warrant applications including but not limited to probable cause affidavits, any and all warrants signed, any and all warrant applications denied along with the reason for the denial, surveillance reports and notes, video or audio recordings, lab reports, cooperation agreements, notes relating to any cooperation agreements, notes of any meetings with Mr. de la Cruz and/or his attorney John Burke, lab reports, probation reports, pre-sentence reports, and any other documents not specifically mentioned above.
- Expedited Processing Original Justification: Mr. de la Cruz is currently in Mexico, where he has not lived for many years, because his immigrant visa was denied as a result of the above case. This denial is pending consular review which is contingent on a response to the above request. He is unable to return to the US until this review is completed. During this time he is separated from his US citizen husband and family and lacks proper access to healthcare and employment, and is concerned because of the level of violent crime there. For this reason we are asking that you expedite this FOIA request.
- Expedited Processing Disposition Reason: Does not meet any of the four standards required for approval of extraordinary treatment. See attached correspondence.