



August 28, 2001

Richard Kirklewski
112 N. Mills Street
Madison, WI 53715

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Re: Appeal – FOIA Request 2001-45

Dear Mr. Kirklewski:

This responds to your letter of August 8, 2001, appealing what you deemed to be a denial of your FOIA request of June 12, 2001 (reference number 2001-45). Upon review of the record, I must deny your appeal.

Background

In a letter dated June 12, 2001, you filed with LSC a FOIA request with LSC for:

(a) a certified responsive [written paper] correspondence as a reply and – (1) substantive [i.e. definition sense(s)] appraisal of first part(s) of herewith OBJECTION(S), (2) appraisal of designations(s) and/or names(s), business address(s), locations(s) [i.e. as having included nomenclature(s) and business zip-code(s)] of entity(s) which made “Legal Services Corporation” “unable”, (3) appraisal of prevention applications(s) to deter de facto state agency illegal emulation-impersonation-interpretive activities of relevance to U.S. FEDERAL LAW [REFERENCE: 7 CFR §1a.5(e), 18 USCS §245(a)(1), U.S. v. “Peterson” 550 F.2d 379, §1.4 Duty to improve the law “Standards Relating to the Prosecution Function” by “American Bar Assn.”, and section 19.365(2)(b) of Wisconsin stats.; (b) a blank copy of Postal Form 8165; and (c) a fee waiver, with non-waivered consideration of “False Statements Accountability Act of 1996”.

This letter was appended to other correspondence related to a prior request for records you made to a legal services program in Wisconsin. In a letter dated August 2, 2001, Ms. Lisa Zurmuhlen requested written clarification as to the nature and scope of your request in order to be able to respond effectively.

On August 17, 2001, Ms. Zurmuhlen received a letter, dated August 8, 2001, which purports to respond to her request for clarification of your original request. On August 20, 2001, Ms. Zurmuhlen sent you a letter responding to your purported “clarification” letter of August 8, 2001. Her letter explained that your letter still does not adequately describe the records you are seeking and, therefore, we cannot finish processing your FOIA request.

Included with the August 17 letter was another letter appealing what you characterize as LSC’s “denial” of this same request (2001-45). Your appeal letter states, in its entirety: “This requestal written communication is pursuant of a denominative reconsideration from hereon aforestated denial.”

Analysis

Although your letter of August 8, 2001, appeals what you characterize as a “denial” of your request, your letter provides no basis upon which you believe your request has been denied, or why such a denial was improper under the statute or regulations. Accordingly, I have no basis upon which to determine that you were unlawfully denied any records responsive to your request.

If you believe that this determination is in error you may seek judicial review of this decision in the district court of the United States as provided in 5 U.S.C. §552(a)(4).

Sincerely,


John Erlenborn
President