

August 6, 2004

Mr. Lorenzo Suttles  
(b)(6)

Re: FOIA Appeal.

Dear Mr. Suttles:

This is in response to your appeal under the Freedom of Information Act (FOIA) presented in a letter that, although undated, indicates it was notarized on July 11, 2004. Your appeal is recorded as having been received in the Office of General Counsel at the National Credit Union Administration (NCUA) on July 26, 2004. You state the basis for your appeal is that the NCUA has not responded within the regulatory time limits to a FOIA request, dated June 6, 2004, and that you consider your request as being denied.

In your most recent FOIA request, a letter indicating it was notarized June 6, 2004, you requested information concerning merger procedures, and an exact photocopy of the original insurance certificate issued to Allied Printers/IBEW 846. NCUA's FOIA records indicate your request was received on July 9, 2004, and that FOIA Officer Dianne Salva responded to you on July 15, 2004. This is within the 20-day time limit required under our FOIA regulations. 12 C.F.R. §792.15. Because the sole basis for your appeal is our failure to respond, and we have responded, we are denying your appeal as moot.

Pursuant to 5 U.S.C. §552(a)(4)(B), you may seek judicial review of this determination by filing suit against the NCUA. Such a suit may be filed in the United States District Court in the district where you reside, where your principal place of business is located, or the District of Columbia.

Sincerely,

Hattie M. Ulan  
Acting General Counsel

GC/MFR/SAA:bhs  
04-0748  
04-FOIA-00223