

January 3, 2005

Nora Jones  
US Forest Service  
(703) 605-4927

RE: FOIA Appeal 05-2734-A

Dear Nora Jones,

I am inquiring as to the status of our FOIA Appeal #05-2734-A. Has the Forest Service made its final determination? If so, could you email me an electronic copy of the letter (PDF or Microsoft Word).

Please be advised that the agency's final response is past due:

§ 1.14 Appeals

(c) 5 U.S.C. 552(a)(6)(A)(ii) provides that each agency in the Department to which an appeal of a denial is submitted shall inform the requester of its determination concerning that appeal within 20 working days (excepting Saturdays, Sundays, and legal public holidays), plus any extension authorized by § 1.16, of its date of receipt. If the agency determines to grant the appeal, it shall inform the requester of any conditions surrounding the granting of the request (e.g., payment of fees) and the approximate date upon which compliance will be effected. If the agency grants only a portion of the appeal, it shall treat the portion not granted as a denial. If it determines to deny the appeal either in part or in whole, it shall inform the requester of that decision and of the following:

- (1) The reasons for denial;
- (2) The name and title or position of each person responsible for denial of the appeal; and
- (3) The right to judicial review of the denial in accordance with 5 U.S.C. 552(a)(4)

Thank you for your assistance.

Sincerely,

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Darrell Geist  
email: z@wildrockies.org  
phone: (406) 531-9284  
mailing: POB 7941 Missoula MT 59807