DOUGLAS F. CARLSON
PO Box 191711
San Francisco CA 94119-1711
(415) 956-9567
doug.carlson@sbcglobal.net
Plaintiff
Pro se

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DOUGLAS F. CARLSON
Plaintiff

v.

UNITED STATES POSTAL SERVICE
Defendant

Civil Action, File No. ___________
COMPLAINT FOR ORDER TO PRODUCE RECORDS
AND FOR INJUNCTIVE RELIEF

Intradistrict Assignment. Plaintiff resides in San Francisco County. This case should be assigned to the San Francisco or Oakland Division.


2. Defendant is an agency of the United States government subject to FOIA.

First Claim for Relief

3. On January 21, 2015, plaintiff submitted a FOIA request (Request #1) to defendant by fax. Exhibit 1.


5. On March 12, 2015, plaintiff mailed a timely administrative appeal to defendant.

6. Defendant has not provided any records to plaintiff.
7. Defendant improperly withheld records that plaintiff requested in Request #1.

Second Claim for Relief

8. On May 4, 2015, plaintiff submitted a FOIA request (Request #2) to defendant by fax. Exhibit 2.


10. On July 20, 2015, plaintiff mailed a timely administrative appeal to defendant.


12. Defendant has not provided any records to plaintiff.

13. Defendant improperly withheld records that plaintiff requested in Request #2.

Third Claim for Relief


15. In a letter dated August 8, 2014, defendant refused to provide two free hours of search time.


17. In a letter dated June 29, 2015, defendant responded to plaintiff’s administrative appeal and refused to provide two free hours of search time.

18. Defendant improperly withheld records that plaintiff requested in Request #3.

General FOIA Claims

19. Plaintiff has exhausted his administrative remedies.
20. Defendant has a policy or practice of not complying with FOIA in responding to plaintiff’s FOIA requests.

21. Defendant acted arbitrarily or capriciously in processing plaintiff’s FOIA requests and in withholding the records that plaintiff requested.

**Relief Requested for FOIA Claims**

22. WHEREFORE, plaintiff requests an order from the court requiring defendant to provide the records that defendant improperly withheld from plaintiff.

23. With respect to plaintiff’s Third Claim for Relief, plaintiff requests an order requiring defendant to provide two free hours of search time.

24. Plaintiff requests injunctive relief to require defendant to comply with FOIA in processing future FOIA requests from plaintiff.


Respectfully submitted,

Dated: December 24, 2015

[Signature]

DOUGLAS F. CARLSON
Plaintiff
CERTIFICATION PURSUANT TO CIVIL L.R. 3-15

Pursuant to Civil L.R. 3-15, the undersigned certifies that as of this date, other than the named parties, there is no such interest to report.

Dated: December 24, 2015

DOUGLAS F. CARLSON
VIA FACSIMILE — 650-578-4956

PO Box 191711
San Francisco CA 94119-1711
January 21, 2015

FOIA Requester Service Center—Field
United States Postal Service
Saint Louis General Law Service Center
1720 Market St Rm 2400
Saint Louis MO 63155-9948

Re: Freedom of Information Act/Privacy Act Request

Dear Sir or Madam:

Pursuant to the Freedom of Information Act (FOIA) and Privacy Act, please provide all photographs that a postal employee took of me on Sunday, January 11, 2015, outside the East Santa Cruz Station in Santa Cruz, California, between 1 PM and 2 PM and all records related thereto, including text messages, e-mail messages, and any metadata or other records that will identify the name of the person who uses the device(s) that photographed me. My request encompasses records stored on all computing devices that the Postal Service owns or rents or that its employees use for work purposes, including computers, phones, and other mobile computing devices.

At this time, I am not willing to pay any fees for the provision of these records. According to FOIA, fees shall not be charged for the first 100 pages of duplication or the first two hours of search time. If fees will need to be charged, please notify me in advance. The Privacy Act does not permit an agency to charge fees for search time. Postal Service attorneys Sara Snyder and Jeremy Watson know the identities of two women, including the photographer, who are familiar with this incident and may possess responsive records, so you may wish to begin the search by contacting Ms. Snyder or Mr. Watson for further information.

If the Postal Service will charge me any fees for providing paper copies of the records, I request the records in a PC-readable electronic format if the fees for providing the records in a PC-readable electronic format would be lower than the fees for providing paper copies of the records. One of possibly many acceptable PC-readable electronic formats would be one or more files in PDF format, provided to me on a CD-ROM.

I look forward to receiving the records that I have requested within 20 working days of the date on which you receive this request, as FOIA requires.

Please contact me if you need to clarify any part of my request.

Thank you for your time.

Sincerely,

Douglas F. Carlson
VIA FACSIMILE — 650-578-4956

FOIA Requester Service Center—Field
United States Postal Service
Saint Louis General Law Service Center
1720 Market St Rm 2400
Saint Louis MO 63155-9948

Re: Freedom of Information Act/Privacy Act Request

Dear Sir or Madam:

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At this time, I am not willing to pay any fees for the provision of these records. According to FOIA, fees shall not be charged for the first 100 pages of duplication or the first two hours of search time. If fees will need to be charged, please notify me in advance. The Privacy Act does not permit an agency to charge fees for search time.

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Please contact me if you need to clarify any part of my request.

Thank you for your time.

Sincerely,

[Signature]

Douglas F. Carlson
VIA FACSIMILE — 202-268-5353

Ms. Jane Eyre
Manager
Records Office
United States Postal Service
475 L’Enfant Plz SW
Washington DC 20260

Re: Freedom of Information Act Request

Dear Ms. Eyre:

Pursuant to the Freedom of Information Act (FOIA), please send me all notifications of changes in office hours that Retail Operations at Postal Service headquarters has received in 2014, including notifications created or provided pursuant to POM section 126.42.

At this time, I am not willing to pay any fees for the provision of these records. According to FOIA, fees shall not be charged for the first 100 pages of duplication or the first two hours of search time. If fees will need to be charged, please notify me in advance.

In addition, pursuant to 39 C.F.R. § 265.7(a)(3), I am electing to advise you that I am seeking these records to allow me to evaluate Postal Service actions to reduce retail hours at post offices to prepare for filing a complaint with the Postal Regulatory Commission concerning changes in retail hours.

I request the records in a PC-readable electronic format that will allow me to copy and paste text from the records using standard PC copy and paste functions. I understand that the records exist in native format as e-mail messages. I request that the Postal Service copy the messages from their Outlook folder and paste the messages into one or more new e-mail messages addressed to me at doug.carlson@sbcglobal.net. A second option would be to save or print the messages to Adobe PDF.

I look forward to receiving the records that I have requested within 20 working days of the date on which you receive this request, as FOIA requires.

Please contact me if you need to clarify any part of my request.

Thank you for your time.

Sincerely,

[Signature]

Douglas F. Carlson