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SUZANNE Y. SOONG  
CLERK, US DISTRICT COURT  
NO. DIST. OF CA.

1 DOUGLAS F. CARLSON  
2 PO Box 191711  
3 San Francisco CA 94119-1711  
4 (415) 956-9567  
5 *doug.carlson@sbcglobal.net*  
6 Plaintiff  
7 *Pro se*  
8

9 UNITED STATES DISTRICT COURT  
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

JCS

CV15 6055

11 DOUGLAS F. CARLSON ) Civil Action,  
12 Plaintiff ) File No. \_\_\_\_\_  
13 )  
14 v. ) COMPLAINT FOR ORDER  
15 ) TO PRODUCE RECORDS  
16 UNITED STATES POSTAL SERVICE ) AND FOR INJUNCTIVE RELIEF  
17 Defendant )

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

20 1. **Jurisdiction.** The Freedom of Information Act claims arise under the Freedom  
21 of Information Act (FOIA), 5 U.S.C. § 552. This court has jurisdiction pursuant to  
22 5 U.S.C. § 552(a)(4)(B).

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

24 **First Claim for Relief**

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

27 4. Defendant did not comply with 5 U.S.C. § 552(a)(6)(A)(i).

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

29 6. Defendant has not provided any records to plaintiff.

1 7. Defendant improperly withheld records that plaintiff requested in Request #1.

2 **Second Claim for Relief**

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

5 9. Defendant did not comply with 5 U.S.C. § 552(a)(6)(A)(i).

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

7 11. Defendant did not comply with 5 U.S.C. § 552(a)(6)(A)(ii).

8 12. Defendant has not provided any records to plaintiff.

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

10 **Third Claim for Relief**

11 14. On July 29, 2014, plaintiff submitted a FOIA request (“Request #3”) to  
12 defendant by fax. Exhibit 3.

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

15 16. On August 12, 2014, plaintiff mailed a timely administrative appeal to  
16 defendant.

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

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

20 **General FOIA Claims**

21 19. Plaintiff has exhausted his administrative remedies.



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**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

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

**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:

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.

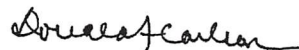
If the Postal Service will charge me any fees for providing paper copies of the records, I request the records in a PC-readable electronic format if the fees for providing the records in a PC-readable electronic format would be lower than the fees for providing paper copies of the records. One of possibly 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

PO Box 191711  
San Francisco CA 94119-1711  
May 4, 2015

**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:

On January 21, 2015, I submitted a Freedom of Information Act (FOIA)/ Privacy Act request for 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. The Postal Service assigned tracking number 2015-FPFD-00244 to my request. Pursuant to the Freedom of Information Act (FOIA) and Privacy Act, please provide all records, including e-mail messages, that employees in, or supporting, a FOIA Requester Service Center created or received relating to this request, including records that discuss the search or the request and that discuss or contain any information responsive to the request.

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.

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

PO Box 191711  
San Francisco CA 94119-1711  
July 29, 2014

**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,



Douglas F. Carlson