



U.S. Department of Justice

Office of Information and Privacy

Telephone: (202) 514-3642

Washington, D.C. 20530

SEP 15 2005

EJ Hurst II, Esq.
PMB No. 124
550M Richie Highway
Severna Park, MD 21146

Re: Appeal No. 05-2411
Request No. 2005-03244
RLH:ADW

Dear Mr. Hurst:

This responds to your letter dated August 31, 2005, in which you further appeal the action of the Federal Bureau of Prisons on your request for access to fourteen categories of records including "video tapes made at USP Victorville between and including January 10 and January 12, 2005"; policy statements including the "'step down program' in which FCI MED II inmates are now engaged"; duty rosters; "certified documents including curriculum vitae, demonstrating each SORT officer's training, experience, and qualifications for SORT duty, including compliance and certification course certificates"; daily duty logs; special housing reports; "certified documents including curriculum vitae and licensure information demonstrating each medical division agent's training, experience, and qualifications for duty on Victorville's Medical Staff"; monthly reports; "all reports summarizing caseloads, inmate visitation documentation," or other demonstrations of services rendered to inmates; medical reports; inmate medical requests; and names of "attendees at the Federal Bureau of Prisons Recruitment events hosted by FCI Victorville Medium II, Saturday & Sunday, August 28-29, 2004." I note that you have requested that this Office expedite your appeal of BOP's denials of your requests for a fee waiver and for expedited processing.

Based on the information you provided, I am denying your request to expedite your appeal. You requested expedited treatment pursuant to 28 C.F.R. § 16.5(d)(1)(iii). It is my determination that whatever due process rights are at issue in this matter would not be infringed upon by processing your appeal in the normal course of business. In addition, I note that the BOP responded to you by letter dated May 28, 2005; you appealed to this Office on July 26, 2005, but did not reference BOP's denial of your request for expedited processing until your August 31, 2005, letter, a delay of three months.

Your request for a fee waiver will be addressed separately. Please note that the BOP cannot begin to process your multiple item request until this issue has been resolved. See 28 C.F.R. § 16.11 (e), (i) (2) (2004).

If you are dissatisfied with my action on your request for expedited treatment of your appeal, you may seek judicial review in accordance with 5 U.S.C. § 552(a) (6) (E) (iii).

Sincerely,

A handwritten signature in dark ink, appearing to read "Richard L. Huff". The signature is stylized and cursive.

Richard L. Huff
Co-Director