

No.

In the Supreme Court of the United States

ANTHONY ROLAND

v.

UNITED STATES DEPARTMENT OF JUSTICE, ET AL.

*ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE SEVENTH CIRCUIT*

**APPENDIX TO THE
PETITION FOR A WRIT OF CERTIORARI**

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APPENDIX

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Appendix A**UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT**

Everett McKinley Dirksen
United States Courthouse
Room 2722 - 219 S. Dearborn Street
Chicago, Illinois 60604



Office of the Clerk
Phone: (312) 435-5850
www.ca7.uscourts.gov

ORDER

October 1, 2025

Before

MICHAEL Y. SCUDDER, *Circuit Judge*
DORIS L. PRYOR, *Circuit Judge*
NANCY L. MALDONADO, *Circuit Judge*

No. 25-2330	<p>ANTHONY ROLAND, Plaintiff - Appellant</p> <p>v.</p> <p>UNITED STATES DEPARTMENT OF JUSTICE and FEDERAL COMMUNICATIONS COMMISSION, Defendants - Appellees</p>
Originating Case Information:	
District Court No: 1:24-cv-09617 Northern District of Illinois, Eastern Division District Judge April M. Perry	

The following are before the court:

- 1. APPELLEES' MOTION FOR SUMMARY AFFIRMANCE OR ALTERNATIVELY TO RESET BRIEFING SCHEDULE**, filed on September 10, 2025, by counsel for the appellees.
- 2. APPELLANT'S OPPOSITION TO APPELLEES' MOTION FOR SUMMARY AFFIRMANCE**, filed on September 26, 2025, by the pro se appellant.

This court has carefully reviewed the final order of the district court and the record on appeal. Based on this review, the court has determined that any issues which could be raised are insubstantial and that further briefing would not be helpful to the court's consideration of the issues. *See Taylor v. City of New Albany*, 979 F.2d 87 (7th Cir. 1992); *Mather v. Village of Mundelein*, 869 F.2d 356, 357 (7th Cir. 1989) (per curiam) (court can decide case on motions papers and record where briefing would not assist the court and no member of the panel desires briefing or argument). "Summary disposition is

No. 25-2330

Page 2

appropriate 'when the position of one party is so clearly correct as a matter of law that no substantial question regarding the outcome of the appeal exists.'" *Williams v. Chrans*, 42 F.3d 1137, 1139 (7th Cir. 1995), citing *Joshua v. United States*, 17 F.3d 378, 380 (Fed. Cir. 1994). The district court reasonably concluded that the complaint's allegations were not facially plausible and had previously been addressed in similar lawsuits.

Accordingly, IT IS ORDERED that the appellees' motion is GRANTED, and the judgment of the district court is summarily AFFIRMED.

form name: **c7_Order_3J** (form ID: 177)

Appendix B

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

ANTHONY ROLAND,)
)
 Plaintiff,) No. 24-cv-09617
)
 v.) Judge April M. Perry
)
 U.S. DEPARTMENT OF JUSTICE, and)
 FEDERAL COMMUNICATIONS)
 COMMISSION,)
)
 Defendants.)

OPINION AND ORDER

Anthony Roland (“Plaintiff”), proceeding *pro se*, brings this case against the U.S. Department of Justice (“DOJ”) and the Federal Communications Commission (“FCC”) (collectively, “Defendants”). Plaintiff’s first amended complaint alleges violations of the Freedom of Information Act (“FOIA”) and Privacy Act. Defendants move to dismiss Plaintiff’s complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). For the following reasons, the Court dismisses Plaintiff’s complaint in its entirety.

BACKGROUND

In 2024, Plaintiff submitted FOIA requests to the Federal Bureau of Investigation (“FBI”), the Department of Justice: Criminal Division (“CRM”), and the FCC.¹ Doc. 26 ¶¶ 15-26. These requests were based on Plaintiff’s belief that he is being subjected to electronic surveillance by said agencies. *Id.* ¶¶ 6-12. Plaintiff describes “unfamiliar people and vehicles

¹ Plaintiff’s FOIA correspondence with Defendants is attached to the complaint and therefore properly considered when deciding a motion to dismiss. See *Williamson v. Curran*, 714 F.3d 432, 436 (7th Cir. 2013).

with MP license plates around his house at all hours,” “stalking,” “interaction with the Television commentator as if he were on a Zoom conference,” and “living inside a Glasshouse.” *Id.* ¶¶ 6-8.

On May 7, 2024, Plaintiff sent a FOIA request to the FBI seeking all records about himself including “1. FBI-002 The FBI Central Records System (CRS); 2. FBI-006 Electronic Surveillance (ELSUR); 3. FBI-020 National Data Exchange (N-Dex); [and] 4. Vaugh index.” *Id.* ¶¶ 15-17. The FBI closed the request on May 15, 2024, explaining that they were unable to identify any records subject to FOIA that were responsive to the request. *Id.* at 16. Plaintiff filed an administrative appeal on or around June 10, 2024, which was denied on September 20, 2024. *Id.* ¶¶ 27-29.

On May 8, 2024, Plaintiff sent a FOIA request to the FCC in which he requested all records about himself including “1. FCC/OIG-3 (Investigation and Audit files); 2. FCC/OMD-17 (FOIA/PA request); [and] 3. FCC/OEA-6 (Broadband Data Collection).” *Id.* ¶¶ 23-25. It appears the FCC responded to this request on June 26, 2024, stating that they had found no responsive records. *Id.* at 28. Plaintiff filed an administrative appeal around July 8, 2024, which was denied on August 6, 2024. *Id.* ¶ 33; *Id.* at 28-29.

And finally, on June 9, 2024, Plaintiff sent a FOIA request to CRM for all records about himself including “1. CRM-003 (CHK to determine if those individuals have been subject to any Electronic Surveillance); [and] 2. CRM-019 (Request to the Attorney General for Approval of Applications to Federal Judges for Electronic Interceptions).” *Id.* ¶¶ 19-21. The agency responded on September 30, 2024, explaining that no responsive records subject to FOIA were found. *Id.* ¶ 31; *Id.* at 23. Plaintiff filed an administrative appeal, which was received by CRM around October 22, 2024. *Id.* at 24. It is unclear from the complaint and attached exhibits when or if CRM responded to the appeal.

Plaintiff has not received any responsive records from Defendants. *Id.* ¶¶ 18, 22, 26.

LEGAL STANDARD

Under Rule 12(b)(6), a case may be dismissed when a plaintiff “fail[s] to state a claim upon which relief can be granted.” FED. R. CIV. P. 12(b)(6). This is a challenge to the sufficiency of a complaint, not its merits. *See Gibson v. City of Chicago*, 910 F.2d 1510, 1520 (7th Cir. 1990). To survive a Rule 12(b)(6) motion, the complaint must “state a claim to relief that is plausible on its face” and provide fair notice to the defendant of the claim's basis. *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). A claim is facially plausible “when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.” *Id.* The plaintiff does not need to plead particularized facts, but the allegations in the complaint must be sufficient to “raise a right to relief above the speculative level.” *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007). Threadbare recitals of the elements of a cause of action and allegations that are merely legal conclusions are not sufficient to survive a motion to dismiss. *See Iqbal*, 556 U.S. at 678.

Moreover, because the Court granted Plaintiff's *in forma pauperis* on November 1, 2024, Doc. 8, this Court also has an obligation under 28 U.S.C. § 1915(e)(2), to screen the complaint and “dismiss the case at any time if the court determines that … the action or appeal (i) is frivolous or malicious; (ii) fails to state a claim on which relief may be granted; or (iii) seeks monetary relief against a defendant who is immune from such relief.” When suits are brought *in forma pauperis*, courts are given discretion to “pierce the veil of the complaint's factual allegations,” and dismiss the case where the “claims describ[e] fantastic or delusional scenarios.” *Neitzke v. Williams*, 490 U.S. 319, 327-28 (1989); *see also Denton v. Hernandez*, 504 U.S. 25, 32 (1992).

Plaintiff is proceeding *pro se*. “A document filed *pro se* is to be liberally construed, ... and a *pro se* complaint, however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers.” *Beal v. Beller*, 847 F.3d 897, 902 (7th Cir. 2017) (quoting *Erickson v. Pardus*, 551 U.S. 89, 94 (2007)). At the same time, if a court “is given plausible reasons for dismissing a complaint, [the court is] not going to do the plaintiff’s research” or try to make up arguments for them. *Kirksey v. R.J. Reynolds Tobacco Co.*, 168 F.3d 1039, 1041 (7th Cir. 1999).

ANALYSIS

Plaintiff brings three types of claims against Defendants. First, Plaintiff alleges that the FBI and CRM failed to comply with the statutory deadlines for FOIA responses set forth in 5 U.S.C. § 552(a)(6)(A)(ii) (Count I and Count III). Second, Plaintiff alleges that the FBI and CRM unlawfully withheld responsive documents in violation of 5 U.S.C. § 552(a)(3)(A) (Count II and Count IV). Third, Plaintiff alleges that the FBI, CRM, and FCC failed to make reasonable efforts to search for responsive documents, in violation of 5 U.S.C. § 552(a)(3)(C) (Count II, Count IV, and Count V). Doc. 26 ¶¶ 36-59. Aside from injunctive relief compelling the release and disclosure of the records, Plaintiff requests *in-camera* review of classified records, punitive damages, and an award of all costs and fees associated with this action and a case dismissed in 2023.²

The Court begins with Plaintiff’s allegations that the FBI and CRM failed to timely reply to his FOIA request. FOIA’s citizen suit provision grants the Court jurisdiction to provide injunctive relief for untimely FOIA responses. 5 U.S.C. § 552(a)(4)(B). However, “once the

² Plaintiff requests costs and fees associated with *Roland v. U.S. Dep’t Justice*, No. 22-cv-01066 (N.D. Ill. Mar. 15, 2023), *aff’d*, 2023 WL 8251312 (7th Cir. Nov. 29, 2023) (affirming dismissal of claims at summary judgment for being unsupported).

government produces all the documents a plaintiff requests, [his] claim for relief under the FOIA becomes moot.” *Walsh v. U.S. Dep’t. Veterans Affs.*, 400 F.3d 535, 536 (7th Cir. 2005); *Perry v. Block*, 684 F.2d 121, 125 (D.C. Cir. 1982) (“[H]owever fitful or delayed the release of information under the FOIA may be, once all requested records are surrendered, federal courts have no further statutory function to perform.”). In this case, Plaintiff alleges that the FBI took 102 days to respond, and CRM took 112 days to respond to his FOIA request. Doc. 26 ¶¶ 27-32. That said, Plaintiff acknowledges that both the FBI and CRM did respond. Therefore, Plaintiff’s request for injunctive relief is moot, and Count I and Count III are dismissed.

Of course, Plaintiff’s real concern is not that the FBI, CRM, and FCC failed to timely give him nothing. The crux of Plaintiff’s case is that Defendants should have had responsive documents and either did not properly search for them or unlawfully withheld them. Assessing Plaintiff’s allegations in support of Counts II, IV, and V, the Court finds that dismissal is appropriate because Plaintiff does not allege claims that are facially plausible. Specifically, Plaintiff alleges that Defendants must have documents about him because Defendants are intercepting his communications and stalking him, unnamed whistleblowers have told Plaintiff that he is under electronic surveillance and “left business cards and signed a petition to stop the unlawful surveillance while leaving their emails for deposition purposes,” and Plaintiff has “captured demonstrative video evidence of his interaction with [a] Television commentator as if he were on a Zoom conference.” Doc. 26 ¶¶ 6-10. These are the types of “fantastic or delusional scenarios” that the Court finds patently implausible, and which warrant dismissal. *See Neitzke* 490 U.S. at 328.³

³ Plaintiff’s delusional allegations have continued in subsequent pleadings, including his assertion that “I have live video evidence of interacting with the TV host through my TV causing transparency (I wave and host wave).” Doc. 37 at 5.

This is not the first time Plaintiff has made similar claims. The Seventh Circuit has described a similar case brought by Plaintiff as “unrealistic[],” *Roland v. U.S. Dep’t of Justice*, 2023 WL 8251312 at *1 (7th Cir. 2023), and other courts in this District have described his claims as “fantastical, unsupported,” *Roland v. U.S. Dep’t of Justice*, No. 22-cv-1066 at Doc. 76 (N.D. Ill. Mar. 15, 2023), and “delusional.” *Roland v. Pai*, No. 19-cv-03128 at Doc. 10 (N.D. Ill. June 11, 2019).⁴ This is the fourth time Plaintiff has filed a case in which he has alleged that the government is watching him through his television. *See Roland*, No. 22-cv-1066 at Doc. 1 ¶ 19 (“plaintiff gathered 20 sign witness affidavits stating that his privacy is being violated, in conjunction with the continued whistleblower from the television and radio announcers.”); *Roland*, No. 19-cv-3128 at Doc. 1 ¶ 14 (“Plaintiff … notice he was and is being watch through the defendants network stations.”); *Roland v. Federal Government*, No. 18-cv-5363, Doc. 1 at 7 (N.D. Ill.) (“When I’m watching a television program I am constantly getting reminded that I’m being watched.”). Plaintiff’s present action is precisely the type of lawsuit that § 1915’s dismissal provision was designed to address. *See Neitzke*, 490 U.S. at 324 (explaining that Congress included the dismissal provision as litigants whose costs are assumed by the public “lack[] an economic incentive to refrain from filing frivolous, malicious, or repetitive lawsuits.”).

Finally, given the frivolous nature of the claims, this case is dismissed with prejudice. Generally, courts should “allow ample opportunity for amending the complaint when it appears that by doing so the *pro se* litigant would be able to state a meritorious claim.” *Donald v. Cook Cnty. Sheriff’s Dept.*, 95 F.3d 548, 555 (7th Cir. 1996). However, “leave to amend need not be granted… if it is clear that any amendment would be futile.” *Bogie v. Rosenberg*, 705 F.3d 603, 608 (7th Cir. 2013); *see also Georgakis v. Ill. State. Univ.*, 722 F.3d 1075, 1078 (7th Cir. 2013)

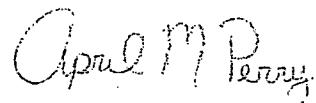
⁴ In looking to the dockets of Plaintiff’s previous cases, this Court takes “judicial notice of matters of public record when ruling on a motion to dismiss.” *Fosnight v. Jones*, 41 F.4th 916, 922 (7th Cir. 2022).

("[A] suit that [is] frivolous... can justifiably be dismissed with prejudice to avoid burdening the court system with a future suit that should not be brought—anywhere."). Over seven years, four lawsuits, and more than one amended complaint, Plaintiff has failed to state a meritorious claim from a similar set of allegations. Given this, and the fundamental implausibility of the claims, this Court is convinced that leave to amend would be futile and an undue burden on the courts.

CONCLUSION

For the foregoing reasons, Plaintiff's case is dismissed with prejudice.

Dated: July 28, 2025



APRIL M. PERRY
United States District Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF ILLINOIS

Appendix C

Anthony Roland,

Plaintiff(s),

v.

U.S. Department of Justice, et al,

Defendant(s).

Case No. 1:24-cv-09617

Judge April M. Perry

JUDGMENT IN A CIVIL CASE

Judgment is hereby entered (check appropriate box):

in favor of plaintiff(s)
and against defendant(s)
in the amount of \$,

which includes pre-judgment interest.
 does not include pre-judgment interest.

Post-judgment interest accrues on that amount at the rate provided by law from the date of this judgment.

Plaintiff(s) shall recover costs from defendant(s).

in favor of defendant(s)
and against plaintiff(s)

Defendant(s) shall recover costs from plaintiff(s).

other: Defendants' motion to dismiss 28 is granted. This matter is dismissed with prejudice. Civil case terminated.

This action was (check one):

tried by a jury with Judge presiding, and the jury has rendered a verdict.
 tried by Judge without a jury and the above decision was reached.
 decided by Judge April M. Perry on a motion

Date: 7/28/2025

Thomas G. Bruton, Clerk of Court

J. Capparelli, Deputy Clerk

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Appendix D

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

FILED

FEB 19 2025

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT
GR

ANTHONY ROLAND

Plaintiff,

vs.

U.S. DEPARTMENT OF JUSTICE
and the FEDERAL COMMUNICATIONS
COMMISSION,

Defendant.

Case No.: 1:24-cv-09617

Honorable April M. Perry

COMPLAINT FOR DECLARATORY
AND INJUNCTIVE RELIEF

FIRST AMENDED COMPLAINT

Plaintiff Anthony Roland *Pro se* files this Complaint against both the U.S. Department of Justice (DOJ) Agencies and the Federal Communications Commission (FCC) bringing these actions under the Freedom of Information Act, 5 U.S.C. § 552 (FOIA) / Privacy Act, 5 U.S.C. § 552a (PA), for declaratory, injunctive, and other appropriate relief for continued violations of his Fourth Amendment rights under section 18 U.S.C. §§ 2510-20.

The DOJ Agencies, the FBI (Federal Bureau of Investigation), and CRM (Criminal Division) have failed to respond to FOIA/PA requests sent to them in or around the Summer of 2024 on time, and the FCC (Federal Communications Commission) FOIA/PA agency conducted an inadequate search. The Plaintiff seeks immediate relief and release of the requested agency records, including those about electronic surveillance and interception of communication.

JURISDICTION AND VENUE

1. This Court has subject matter jurisdiction over this action and personal jurisdiction over the parties pursuant to 5 U.S.C. § 552 (a)(4)(B), and 5 U.S.C. § 552 (a)(6)(C)(i). This Court also has jurisdiction over this action pursuant to 28 U.S.C. § 1331.

2. The venue is proper in the district under 5 U.S.C. § 552(a)(4)(B), and because Plaintiff Roland resides within this District.

PARTIES

3. Plaintiff Anthony Roland *Pro se* is an American citizen and a native of Chicago.

4. Defendant *DOJ Agencies*; FBI (*Federal Bureau of Investigation*) and CRM (*Criminal Division*) are the United States federal governments responsible for preventing crime, protecting the American people's rights, and enforcing federal law. It is an agency of the United States within the meaning of 5 U.S.C. § 552(f)(1). *DOJ Agencies* possess and control records Roland seeks and has requested pursuant to FOIA/PA.

5. FCC (*Federal Communications Commission*) is an independent agency of the United States Federal Government responsible for regulating interstate and international communications by radio, television, wire, satellite, and cable in all 50 states, the District of Columbia, and U.S. territories. FCC is an agency of the United States within the meaning of 5 U.S.C. § 552(f)(1). FCC has possession of and control over records Roland seeks and has requested pursuant to FOIA/PA.

STATEMENT OF FACTS

Electronic Surveillance

6. Plaintiff Roland witnessed around the beginning of 2018 - Present lots of unnecessary Terry stops by Police officers in different municipalities, while out doing various errands, at the same time noticing a gathering of several FBI (*Federal Bureau of Investigation*) agents arriving a few minutes after different public events to the point of stalking along with unfamiliar people and vehicles with MP license plates around his house at all hours.

7. Plaintiff Roland also notices that his expectation of privacy was/is violated by interception of his communication. Plaintiff captured demonstrative video evidence of his interaction with the Television commentator as if he were on a Zoom conference, which can be proven by an expert witness and laying a foundation.

8. As Roland became suspicious of these activities' whistleblowers started explaining to the Plaintiff that he is under Electronic Surveillance of Section 18 U.S.C. §§ 2510-20 to the point of living inside a Glasshouse.

9. The whistleblowers then encouraged him to file a complaint in court, some of John Does and Jane Does even left business cards and signed a petition to stop the unlawful surveillance while leaving their Emails for deposition purposes.

10. As part of this reasonable suspicion under electronic surveillance, being spied on by intelligence activities, there is no physical intruding or touching while gathering a citizen's information resulting in a surreptitious violation of your Fourth Amendment rights.

11. So, to solve this presumption of monitoring of section 18 U.S.C. §§ 2510-20, you need interrogatories, depositions, and 50 U.S.C. § 1806(f) *In-camera and ex parte* to investigate the custodians behind Plaintiff Roland First Amendment reasonable suspicion.

12. United States law enforcement agencies, from the FBI to local police, have a history of spying on American citizens and infiltrating or otherwise obstructing political activist groups.

Plaintiff Past Denial of Liberty and Procedure Due Process on Discovery Against the DOJ Case No. 22-cv1066

13. On March 01, 2022, Plaintiff Roland filed both a FOIA/PA claim and a motion for a 50 U.S.C. § 1806 (f) *In camera and Ex parte* review against the U.S. Department of Justice to disclose unlawful orders under section 18 U.S.C. § 2510.

14. On March 15, 2023, Judge Martha Pacold granted the DOJ a Summary Judgment same time terminating Roland's lawsuit explaining "it was fantastical, and unsupported because the Plaintiff failed to exhaust administrative remedies by *not* appealing the Freedom of Information Act / Privacy Act (FOIA/PA) and that the attached petition to motion the Court for section 50 U.S.C. § 1806 (f) *In camera and Ex parte* review factfinder is *Mooted*."

Plaintiff Roland Submitted a FOIA Request to the DOJ Agency: FBI Regarding Reasonable Suspicion of Electronic Surveillance

15. On or around May 07, 2024, Plaintiff filed a FOIA/PA request to the DOJ Agency: Federal Bureau of Investigation (FBI) Request No.: 1449518-001 A true and accurate copy of the Request is attached hereto as EXHIBIT A.

16. Among other things, the Request sought:

17. All records about Roland including. 1. FBI-002 The FBI Central Records System (CRS); 2. FBI-006 Electronic Surveillance (ELSUR); 3. FBI-020 National Data Exchange (N-Dex); 4. Vaugh index.

18. To date, the FBI FOIA Officer has not released any records responsive to the Request.

Plaintiff Roland Submitted a FOIA Request to the DOJ Agency: CRM Regarding Reasonable Suspicion of Electronic Surveillance

19. On or around June 09, 2024 Submission ID: 1237671 Plaintiff filed a FOIA/PA request to the DOJ Agency: Criminal Division (CRM). A true and accurate copy of the Request is attached hereto as EXHIBIT B.

20. Among other things, the Request sought:

21. All records about Roland including. 1. CRM-003 (CHK to determine if those individuals have been subject to any Electronic Surveillance); 2. CRM-019 (Request to the Attorney General for Approval of Applications to Federal Judges for Electronic Interceptions).

22. To date, the CRM FOIA Officer has not released any records in response to the request.

Plaintiff Roland Submitted a FOIA Request to the FCC Regarding the Intercept of Communications

23. On or around May 08, 2024, Control No. FCC-2024-000503 (FOIA Request), Control No. FCC-2024-000505 (Privacy Act Request). A true and accurate copy of the request is attached hereto as EXHIBIT C.

24. Among other things, the request sought:

25. All records about Roland including. 1. FCC/OIG-3 (Investigation and Audit files); 2. FCC/OMD-17 (FOIA/PA request); 3. FCC/CEA-6 (Broadband Data Collection).

26. To date, the FCC FOIA Officer has not released any records in response to the request.

Plaintiff Roland Filed an Administrative Appeal with the DOJ Agency: FBI

27. On or around June 10, 2024, Roland's Administrative Appeal to the FBI Appeal No.2024-01964 argued to the FBI that they failed to conduct a sufficient search and disclose

relevant records.

28. The FBI also did not meet the deadline for Roland's Appeal request on or around June 10, 2024, with a response for September 20, 2024, a total of 102 (hundred two) days later.

29. The FBI failed to respond to Roland within 20 (twenty) days and gave *no* reasonable extension of time.

Defendant CRM Failed to Comply within the Statutorily Time Limit Resulting in an Exhausted Administrative Remedy

30. On or around June 09, 2024 Submission ID: 1237671 the CRM FOIA Custodian Did not meet the deadline for Roland's request.

31. Defendant received the Plaintiff FOIA request on June 10, 2024, but never responded until September 30, 2024, Request No. CRM-302113768 a total of 112 (One Hundred Twelve) days later.

32. The CRM failed to respond to Roland within the 20 (twenty) day time limit and gave *no* reasonable extension of time.

Plaintiff Roland Filed an Administrative Appeal to the FCC

33. On or around July 08, 2024 Appeal No.: FCC-FOIA-2024-000636-A argued that the FCC never gave reasons for withholding the materials from inspection.

34. Plaintiff FOIA request never gave specific grounds for the denial of Plaintiff OIG-3 request.

35. The FCC FOIA Control Officer never directed Plaintiff to the correct agency or department that controls the FCC monitoring of radio or wire interceptions.

Count 1

Violation of FOIA: Failure to Comply With Statutory Deadlines (Against DOJ agency: FBI)

36. Paragraphs 1-35 above are hereby incorporated by reference as if set forth fully herein.

37. As described above, Defendant DOJ Agency: FBI violated FOIA by failing to respond to Roland's appeal within the 20 (twenty) day time limit outlined in 5 U.S.C. §552(a)(6)(A)(ii).

38. Plaintiff Roland has exhausted the applicable administrative remedies for Roland Request.

39. The plaintiff is entitled to injunctive relief compelling the release and disclosure of the requested agency records.

Count 2

Violation of FOIA: Unlawful Withholding of Agency Records (Against DOJ Agency FBI)

40. Paragraphs 1-39 above are hereby incorporated by reference as if set forth fully herein.

41. Defendant FBI has violated its duties to conduct an inadequate search. 5 U.S.C. § 552(a)(3)(C).

42. The FBI agency failed to produce all responsive, reasonably segregable, non-exempt information. 5 U.S.C. § 552(a)(8)(A)(ii).

43. As described above, Defendant FBI violated FOIA by failing to respond to Roland appeal request within the 20 (twenty) day time limit set forth in 5 U.S.C. § 552 (a)(6)(A)(ii).

44. Roland is entitled to an injunction relief compelling the release and disclosure of the requested agency records.

Count 3

Violation of FOIA: Failure to Comply With Statutory Deadlines (Against DOJ Agency: CRM)

45. Paragraphs 1-44 above are hereby incorporated by reference as if set forth fully herein.

46. As described above, Defendant DOJ Agency: CRM violated FOIA by failing to respond to Roland's request within the 20 (twenty) day time limit set forth in 5 U.S.C. § 552 (a)(6)(A)(ii).

47. Plaintiff Roland has exhausted the applicable administrative remedies for Roland's FOIA Request.

48. The plaintiff is entitled to injunction relief compelling the release and disclosure of the requested agency records.

Count 4

Violation of FOIA: Unlawful Withholding of Agency Records (Against DOJ Agency: CRM)

49. Paragraphs 1-48 above are hereby incorporated by reference as if set forth fully herein.

50. Defendant has violated its duties under FOIA/PA, to conduct a reasonable search for responsive records. 5 U.S.C. § 552(a)(3)(C).

51. As described above, Defendant's failed to comply with statutory deadlines.

52. The agency improperly withheld records. 5 U.S.C. § 552(a)(3)(A).

53. Plaintiff Roland has exhausted the applicable administrative remedies with respect to Roland FOIA Request.

54. Roland is entitled to injunctive relief compelling the release and disclosure of the requested agency records.

Count 5

Violation of FOIA: Failure to Make Reasonable Efforts to Search for Responsive Records (Against FCC)

55. Paragraphs 1-54 above are hereby incorporated by reference as if set forth full herein.

56. As described above, Defendant FCC failed to make reasonable efforts to search for responsive documents violate FOIA, 5 U.S.C. § 552(a)(3)(C).

57. Nor has the agency explained to the Plaintiff the scope of any responsive records it intends to produce or withhold and give detailed reasons for any withholdings.

58. Roland has exhausted the applicable administrative remedies for Roland's FOIA Request.

59. Plaintiff Roland is entitled to injunctive relief compelling the release and disclosure of the requested agency records.

PRAYER FOR RELIEF

WHEREFORE, the Plaintiff Roland *Pro se* respectfully requests that this Court grant the following relief:

- I. Grant a Judicial Review under section 50 U.S.C. § 1806(f) *In-camera and Ex parte* proceeding;
- II. Grant *In-camera* review of classified records under section 18 U.S.C. § 2510 for the FBI, and CRM;
- III. Grant In-camera review of classified records of communication interception from the FCC;

- IV. Arrange for the FBI, CRM, and FCC to make available all requested, Non-Exempt agency records to the Plaintiff;
- V. Award punitive damages, as determined by the Court as described in the statutes of the action under *See Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388, 392 (1971);
- VI. An award of all costs and fees associated with this action and Plaintiff Roland's prior action of *See Roland vs DOJ* 1:22-cv-01066 in the Northern District of Illinois;
- VII. Any Further injunctive relief as the court may deem just and proper.

BENCH TRIAL

Plaintiff Anthony Roland *Pro se* demands a Bench trial by an Article III Judge

Respectfully Submitted,

Dated: February 19, 2025

s/Anthony Roland
Anthony Roland
Pro Se
5642 S. Well St.
Chicago, IL. 60621
Tel: 312-292-8142
E-mail: anthonyroland385@gmail.com

CERTIFICATE OF SERVICE

The Plaintiff certifies that on this day a true and correct copy of the foregoing
PLAINTIFF FIRST AMENDED COMPLAINT was hand-delivered to the Clerical
Assistant on the 5th fl. of the United States Attorney's Office.

S/ Anthony Roland
Anthony Roland

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ANTHONY ROLAND

Plaintiff,

vs.

**U.S. DEPARTMENT OF JUSTICE
and the FEDERAL COMMUNICATIONS
COMMISSION,**

Defendant.

Case No. 1:24-cv-09617

Judge: Hon. April M. Perry

EXHIBITS

A - C

1ex -16ex (Pages)

**ANTHONY ROLAND
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APP 22

EXHIBITS

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EXHIBIT A

Anthony Roland
5642 S. Wells St.
Chicago, IL. 60621
Anthonyroland385@gmail.com

Date: May 07, 2024

Managing Director
Attn: FOIA/PA Request
FBI (Federal Bureau of Investigation)
Justice Management Division
U.S. Department of Justice
950 Pennsylvanian Avenue, NW,
Washington, DC 20530-0001

Re: Freedom of Information Act Request / Privacy Act

Dear FOIA/PA Officer:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and the Privacy Act (PA), 5 U.S.C. § 552a. Anthony Roland makes the following request for records.

Applicant: Anthony T. Roland
SSN: ~~XXXX~~-2039
COB: Chicago, IL.
PH: 312-292-8142

Description of the Request:

1. Any and All Records also Warrants pertaining to the Interception of Roland Electronic Telecommunications.
2. Any and All Records also Warrants pertaining to Electronic Surveillance on Roland.
3. Any and All Records pertaining to video, CCTV Camera, and audio recording on Anthony Roland.
4. All records reflecting Anthony Roland's communications (including emails, email attachments, text messages, and messages on messaging platforms (such as Slack, Gchat Google Hangouts, Lync, Skype, or WhatsApp). Any handwritten or electronic notes.
5. All records Orders for pen registers or trap and trace devices granted or denied, detailing the total number of pen registers or trap and trace devices installed pursuant to 50 U.S.C. § 1843.

6. All records and Orders granted or denied pertaining to Anthony Roland Title III of the Omnibus Crime Control and Safe Street Act of 1968. The disclosure and use of authorized intercepted communications by investigation and law enforcement officers.
7. All and Any Records of Anthony Roland that's in possession of the FBI (Federal Bureau of Investigation) IT department containing Electronically Stored Information.
8. All and Any FBI *Vaughn index* records on Anthony Roland.

Date Range of the Request:

Any time from January 01, 2018 – Present Time.

Fee Agreement

In accordance with § 16.49 I (Anthony Roland) agree to pay all applicable fees charges up to \$25.00 in Request for access to records pursuant to 28 CFR § 16.41.

Guidance Regarding the Search & Processing of Requested Records

In conducting your search, please understand the term "record" in the broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages transcripts, notes, or any meeting telephone conversation discussions.

Conclusion

Where possible, please provide responsive material in electronic format by email. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by mail to Anthony Roland, 5642 S. Wells St. Chicago, IL. 60621.

Anthony Roland looks forward to working with the FBI agency on this request. If you do not understand any part of this request, please contact Roland at anthonyroland385@gmail.com or 312-292-8142. Also, if Anthony Roland's requested fee is not granted, please contact me immediately upon making such a determination.

Sincerely,

s/ Anthony Roland

Anthony Roland



U.S. Department of Justice

Federal Bureau of Investigation
Washington, D.C. 20535

May 15, 2024

MR. ANTHONY ROLAND
7640 SOUTH MICHIGAN
CHICAGO, IL 60619

Request No.: 1449518-001
Subject: ROLAND, ANTHONY

Dear Mr. Roland:

This is in response to your Freedom of Information/Privacy Acts (FOIPA) request. Based on the information you provided, we conducted a main entity record search of the Central Records System (CRS) per our standard search policy. However, we were unable to identify records subject to the FOIPA that are responsive to your request. Therefore, your request is being closed. If you have additional information pertaining to the subject of your request, please submit a new request providing the details, and we will conduct an additional search. For more information about records searches and the standard search policy, see the enclosed FBI FOIPA Addendum General Information Section.

Please see the paragraphs below for relevant information that may be specific to your request. Only checked boxes contain corresponding paragraphs relevant to your request. If no boxes are checked, the corresponding information does not apply.

Please be advised that your request was reopened based on the additional information you provided. A new search was conducted, and we were unable to identify records subject to the FOIPA that are responsive to your request.

Records potentially responsive to your request were destroyed. Since this material could not be reviewed, it is not known if it was responsive to your request. Record retention and disposal is carried out under supervision of the National Archives and Records Administration (NARA) according to Title 44 United States Code Section 3301, Title 36 Code of Federal Regulations (CFR) Chapter 12 Sub-chapter B Part 1228, and 36 CFR 1229.10. Please be advised that the General Records Schedule (GRS) disposition authority for FOIPA records is DAA-GRS-2016-0002-0001 (GRS 4.2, Item 020).

Records potentially responsive to your request were transferred to the National Archives and Records Administration (NARA). If you wish to review these records, file a FOIPA request with NARA at the following address:

National Archives and Records Administration
Special Access and FOIA
8601 Adelphi Road, Room 5500
College Park, MD 20740-6001

Potentially responsive records were identified during the search. However, we were advised that they were not in their expected locations. An additional search for the missing records also met with unsuccessful results. Since we were unable to review the records, we were unable to determine if they were responsive to your request.

The identification records requested are maintained by the FBI's Criminal Justice Information Services (CJIS) Division; therefore, we have forwarded a portion of your request to CJIS for processing. To check the status of this request, please contact CJIS directly at (304) 625-5590. For additional information, see the enclosed FBI FOIPA Addendum General Information Section.

Requests for expedited processing are not applicable when a final response is issued within ten calendar days.

FBI FOIPA Addendum

As referenced in our letter responding to your Freedom of Information/Privacy Acts (FOIPA) request, the FBI FOIPA Addendum provides information applicable to your request. Part 1 of the Addendum includes standard responses that apply to all requests. Part 2 includes standard responses that apply to requests for records about individuals to the extent your request seeks the listed information. Part 3 includes general information about FBI records, searches, and programs.

Part 1: The standard responses below apply to all requests:

- (i) **5 U.S.C. § 552(c).** Congress excluded three categories of law enforcement and national security records from the requirements of the FOIPA [5 U.S.C. § 552(c)]. FBI responses are limited to those records subject to the requirements of the FOIPA. Additional information about the FBI and the FOIPA can be found on the www.fbi.gov/foia website.
- (ii) **Intelligence Records.** To the extent your request seeks records of intelligence sources, methods, or activities, the FBI can neither confirm nor deny the existence of records pursuant to FOIA exemptions (b)(1), (b)(3), and as applicable to requests for records about individuals, PA exemption (i)(2) [5 U.S.C. §§ 552/552a (b)(1), (b)(3), and (i)(2)]. The mere acknowledgment of the existence or nonexistence of such records is itself a classified fact protected by FOIA exemption (b)(1) and/or would reveal intelligence sources, methods, or activities protected by exemption (b)(3) [50 USC § 3024(i)(1)]. This is a standard response and should not be read to indicate that any such records do or do not exist.

Part 2: The standard responses below apply to all requests for records on individuals:

- (i) **Requests for Records about any Individual—Watch Lists.** The FBI can neither confirm nor deny the existence of any individual's name on a watch list pursuant to FOIA exemption (b)(7)(E) and PA exemption (i)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (i)(2)]. This is a standard response and should not be read to indicate that watch list records do or do not exist.
- (ii) **Requests for Records about any Individual—Witness Security Program Records.** The FBI can neither confirm nor deny the existence of records which could identify any participant in the Witness Security Program pursuant to FOIA exemption (b)(3) and PA exemption (i)(2) [5 U.S.C. §§ 552/552a (b)(3), 18 U.S.C. 3521, and (i)(2)]. This is a standard response and should not be read to indicate that such records do or do not exist.
- (iii) **Requests for Confidential Informant Records.** The FBI can neither confirm nor deny the existence of confidential informant records pursuant to FOIA exemptions (b)(7)(D), (b)(7)(E), and (b)(7)(F) [5 U.S.C. § 552 (b)(7)(D), (b)(7)(E), and (b)(7)(F)] and Privacy Act exemption (i)(2) [5 U.S.C. § 552a (i)(2)]. The mere acknowledgment of the existence or nonexistence of such records would reveal confidential informant identities and information, expose law enforcement techniques, and endanger the life or physical safety of individuals. This is a standard response and should not be read to indicate that such records do or do not exist.

Part 3: General Information:

- (i) **Record Searches and Standard Search Policy.** The Record/Information Dissemination Section (RIDS) searches for reasonably described records by searching systems, such as the Central Records System (CRS), or locations where responsive records would reasonably be found. The CRS is an extensive system of records consisting of applicant, investigative, intelligence, personnel, administrative, and general files compiled by the FBI per its law enforcement, intelligence, and administrative functions. The CRS spans the entire FBI organization, comprising records of FBI Headquarters, FBI Field Offices, and FBI Legal Attaché Offices (Legats) worldwide; Electronic Surveillance (ELSUR) records are included in the CRS. The standard search policy is a search for main entity records in the CRS. Unless specifically requested, a standard search does not include a search for reference entity records, administrative records of previous FOIPA requests, or civil litigation files.
 - a. *Main Entity Records* – created for individuals or non-individuals who are the subjects or the focus of an investigation
 - b. *Reference Entity Records* – created for individuals or non-individuals who are associated with a case but are not known subjects or the focus of an investigation
- (ii) **FBI Records.** Founded in 1908, the FBI carries out a dual law enforcement and national security mission. As part of this dual mission, the FBI creates and maintains records on various subjects; however, the FBI does not maintain records on every person, subject, or entity.
- (iii) **Foreseeable Harm Standard.** As amended in 2016, the Freedom of Information Act provides that a federal agency may withhold responsive records only if: (1) the agency reasonably foresees that disclosure would harm an interest protected by one of the nine exemptions that FOIA enumerates, or (2) disclosure is prohibited by law (5 United States Code, Section 552(a)(8)(A)(i)). The FBI considers this foreseeable harm standard in the processing of its requests.
- (iv) **Requests for Criminal History Records or Rap Sheets.** The Criminal Justice Information Services (CJIS) Division provides Identity History Summary Checks – often referred to as a criminal history record or rap sheet. These criminal history records are not the same as material in an investigative "FBI file." An Identity History Summary Check is a listing of information taken from fingerprint cards and documents submitted to the FBI in connection with arrests, federal employment, naturalization, or military service. For a fee, individuals can request a copy of their Identity History Summary Check. Forms and directions can be accessed at www.fbi.gov/about-us/cjis/identity-history-summary-checks. Additionally, requests can be submitted electronically at www.edo.cjis.gov. For additional information, please contact CJIS directly at (304) 625-5590.



**U.S. Department of Justice
Office of Information Policy
Sixth Floor
441 G Street, NW
Washington, DC 20530-0001**

Telephone: (202) 514-3642

**Anthony Roland
5642 South Wells Street
Chicago, IL 60621
anthonyroland385@gmail.com**

**Re: Appeal No. A-2024-01964
Request No. 1449518-001**

VIA: Email 9/20/2024

Dear Anthony Roland:

You appealed from the action of the Federal Bureau of Investigation on your Freedom of Information Act (FOIA) request for access to various records concerning you. I note that your appeal concerns the adequacy of the FBI's search.*

After carefully considering your appeal, I am affirming the FBI's action on your request. The FBI informed you that it could locate no responsive main entity records subject to the FOIA in its files. I have determined that the FBI's action was correct and that it conducted an adequate, reasonable search for such records.

Please be advised that this Office's decision was made only after a full review of this matter. Your appeal was assigned to an attorney with this Office who thoroughly reviewed and analyzed your appeal, your underlying request, and the action of the FBI in response to your request.

If you are dissatisfied with my action on your appeal, the FOIA permits you to file a lawsuit in federal district court in accordance with 5 U.S.C. § 552(a)(4)(B).

For your information, the Office of Government Information Services (OGIS) offers mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; email at ogis@nara.gov; telephone at 202-741-5770; toll-

free at 1-877-684-6448; or facsimile at 202-741-5769. If you have any questions regarding the action this Office has taken on your appeal, you may contact this Office and speak with the undersigned agency official by calling 202-514-3642.

Sincerely,

X Rianna Barrett

Rianna Barrett

Associate Chief, for Christina Troiani, Chief,
Administrative Appeals Staff

* Please be advised that the FBI did not process a civil litigation file, which contains records about a prior FOIA litigation with the FBI. If you are interested in obtaining a copy of these records, you should contact the FBI directly.

 An official website of the United States government
[Here's how you know](#)



MENU



Thank you for visiting FOIA.gov, the government's central website for FOIA. We'll continue to make improvements to the site and look forward to your input. Please submit feedback to National.FOIAPortal@usdoj.gov.

Submission ID: 1237671

Success!

Your FOIA request has been created and is being sent to the Criminal Division.

You'll hear back from the agency confirming receipt in the coming weeks using the contact information you provided. If you have questions about your request, feel free to reach out to the agency FOIA personnel using the information provided below.

Contact the agency

FOIA Requester Service Center

202-616-0307

Sarah Westenberg, FOIA Public Liaison

202-616-0307

Christina Butler Acting Chief, FOIA/PA Unit
Room 803, Keeney Building 950 Pennsylvania Avenue, N.W.
Washington, DC 20530-0001

Request summary

Request submitted on **June 9, 2024**.

The confirmation ID for your request is **1237671**.

 The confirmation ID is only for identifying your request on FOIA.gov and acts as a receipt to show that you submitted a request using FOIA.gov. This number does not replace the information you'll receive from the agency to track your request. In case there is an issue submitting your request to the agency you selected, you can use this number to help.

Contact information

Name

Anthony Roland

Mailing address

**5642 S. Wells St. Chicago, IL. 60621
Chicago, Illinois 60621
United States**

Phone number

(312) 292-8142

Email

anthonyroland385@gmail.com

Your request

Anthony Roland 5642 S. Wells St. Chicago, IL. 60621 anthonyroland385@gmail.com Date: June 09, 2024 Re: Freedom of Information Act and Privacy Act 5 U.S.C. 552a System of Records: JUSTICE/CRM-003 (CHK to determine if those individuals have been subject of an electronic Surveillance) System of Records: JUSTICE/CRM-019 (Request to the Attorney General for Approval of Applications to Federal Judges for Electronic Interceptions) 1. Request for any Records about the Interception of Anthony Roland Electronic Telecommunications. 2. All Records of Electronic Surveillance about Anthony

Roland. 3. Any and All Records pertaining to Anthony Roland. Date Range of the Request:
January 01, 2018 - Present Time Guidance Regarding the Search & Processing of Requested Records. In conducting your search, please understand the term "RECORD" in the broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. I am seeking records of any kind, including electronic records, videotapes, and photographs as well as letters. Conclusion Where possible, please provide responsive material in electronic format by email. Alternatively, please responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by mail to: Anthony Roland, 5642 S. Wells St. Chicago, IL. 60621. Please Call if you have any questions (312) 292-8142 Thank you s/Anthony Roland

Additional information

CERTIFICATION OF IDENTITY.docx

Fees

What type of requester are you?

other

Fee waiver

no

Fee waiver justification

In accordance with 16.49 I (Anthony Roland) agree to pay all applicable fees charges up to \$25.00 in request for access to records pursuant to 28 CFR 16.41.

The amount of money you're willing to pay in fees, if any

\$25.00

Request expedited processing

Expedited processing



U.S. Department of Justice

Criminal Division

Office of Enforcement Operations

Washington, D.C. 20530

VIA Electronic Mail

September 30, 2024

Mr. Anthony Roland
5642 S. Wells Street
Chicago, IL 60621
anthonyroland385@gmail.com

Request No. CRM- 302113768

Dear Mr. Roland:

This responds to your Freedom of Information Act/Privacy Act (FOIA/PA) requests dated June 9 and July 7, 2024, and received in this Office on June 10 and July 8, 2024, respectively, for records concerning the electronic surveillance and interception of electronic telecommunications of yourself from 2018 to the present.

Please be advised that Criminal Division personnel searched the section most likely to maintain records and no responsive records subject to the FOIA were located.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all requesters and should not be taken as an indication that excluded records do, or do not, exist.

As to your request for a fee waiver, your request is moot as there are no fees associated with this request.

You may contact our FOIA Public Liaison at the (202) 616-0307 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with the Criminal Division's determination in response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, D.C. 20530, or you may submit an appeal through OIP's FOIA STAR portal by creating an account on the following website: <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of my



**U.S. Department of Justice
Office of Information Policy
Sixth Floor
431 G Street, NW
Washington, DC 20530-0001**

Telephone: (202) 514-3642

October 24, 2024

Anthony Roland
5642 S. Wells Street
Chicago, IL 60621
anthonyroland385@gmail.com

Dear Anthony Roland:

This is to advise you that the Office of Information Policy of the U.S. Department of Justice received your administrative appeal from the action of the Criminal Division regarding Request No. CRM-302113768 on 10/22/2024.

In an attempt to afford each appellant equal and impartial treatment, OIP has adopted a general practice of assigning appeals in the approximate order of receipt. Your appeal has been assigned number A-2025-00212. Please refer to this number in any future communication with OIP regarding this matter. Please note that if you provided an email address or another electronic means of communication with your request or appeal, this Office may respond to your appeal electronically even if you submitted your appeal to this Office via regular U.S. Mail.

We will notify you of the decision on your appeal as soon as we can. If you have any questions about the status of your appeal, you may contact me at 202-514-3642. If you have submitted your appeal through Freedom of Information Act STAR, you may also check the status of your appeal by logging into your account.

Sincerely,

Priscilla Jones

Priscilla Jones

Supervisory Administrative Specialist

ArkCase

FOIA

Appeal Received Acknowledgement Letter

07/11/2024

Dear Anthony Roland

Your appeal has been official received on 07/10/2024 and the due date is 08/07/2024
Please see the below summary of your appeal details.

Appeal Number: FCC-FOIA-2024-000636-A

Original Request Number: FCC-FOIA-2024-000503

Appealer Name: Anthony Roland

Appealer Title:

Appealer Email Address: anthonyroland385@gmail.com

Request Type: Appeal

Category: All Others

Delivery Method of Response: Email

Appealer Address: 5642 s. wells ST.

Chicago IL 60621 US

Description: Anthony Roland5642 S. Wells St.Chicago, IL.

60621Anthonyroland385@gmail.comDate: May 08, 2024Kathy FaganManaging

DirectorRoom 1-A838FCC (Federal Communications Commission)445 12th St.,

SWWashington, DC 20554Re: Freedom of Information Act Request / Privacy ActDear

Kathy Fagan:Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and
the Privacy Act (PA), 5 U. S.C. § 552a. Anthony Roland makes the following request for
records.Applicant: Anthony T. RolandSSN: [REDACTED]2039COB: Chicago, IL.PH: 312-292-
8142Description of the Request:1.Any and All Records Order by Judge or Congress

pertaining to the Interception of Roland Electronic Telecommunications.2.Any and All
Records Order related to the Interception of Cell Tower of Anthony Roland.3.Any and All
Records pertaining to Anthony Roland.4.All records reflecting Anthony Roland's
communications (including emails and Broadband Network.5.All records and Orders
granted or denied pertaining to Anthony Roland's Interception of his

communication.6. All and Any Records that the IT (Information Technology) department has of Electronically Stored Information about Anthony Roland. Date Range of the Request: Any time from January 01, 2018 – Present Time. Fee Agreement in accordance with § 16.49 I (Anthony Roland) agree to pay all applicable fees charges up to \$25.00 in Request for access to records pursuant to 28 CFR § 16.41. Guidance Regarding the Search & Processing of Requested Records In conducting your search, please understand the term "record" in the broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages transcripts, notes, or any meeting telephone conversation discussions. Conclusion Where possible, please provide responsive material in electronic format by email. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by mail to Anthony Roland, 5642 S. Wells St. Chicago, IL. 60621. Anthony Roland looks forward to working with the FCC on this request. If you do not understand any part of this request, please contact Roland at anthonyroland385@gmail.com or 312-292-8142. Also, if Anthony Roland's requested fee is not granted, please contact me immediately upon making such a determination. Sincerely, s/ Anthony Roland Anthony Roland

Delivered Date: 07/10/2024



**Federal Communications Commission
Washington, D.C. 20554**

August 6, 2024

VIA ELECTRONIC MAIL

Anthony Roland
5642 S. Wells Street
Chicago, IL 60621
anthonyroland385@gmail.com

Re: FOIA No. 2024-000503 (request); 2024-000636-A (appeal)

Dear Mr. Roland:

This is in response to your application for review (AFR)¹ filed in connection with the above-referenced Freedom of Information Act (FOIA) request,² which sought:

1. Any and All Records Order by Judge or Congress pertaining to the Interception of Roland Electronic Telecommunications.
2. Any and All Records Order related to the Interception of Cell Tower of Anthony Roland.
3. Any and All Records pertaining to Anthony Roland.
4. All records reflecting Anthony Roland's communications (including emails and Broadband Network).
5. All records and Orders granted or denied pertaining to Anthony Roland's Interception of his communication.
6. All and Any Records that the IT (Information Technology) department has of Electronically Stored Information about Anthony Roland.

Date Range of the Request: Any time from January 01, 2018 – Present Time.³

On June 26, 2024, the Federal Communications Commission's (Commission) Enforcement Bureau, Investigations and Hearings Division (Bureau) responded that it "searched for responsive records" but the "search produced no records responsive to your request."⁴

Your AFR raises no specific arguments that warrant the Commission's review of the Bureau's response to your request as it merely paraphrases three parts of your FOIA request and references three Commission systems of records: FCC/OIG-3 Investigation and Audit Files, FCC/OMD-17 FOIA/Privacy Act Requests, and FCC/OEA-6 Broadband Data Collection.⁵ Your AFR also references, perhaps erroneously, a Privacy Act request from 2022 without any

¹ Letter from Anthony Roland to Federal Communications Commission (received July 8, 2024) (AFR).

² FOIA Control No. 2024-000503 (submitted May 8, 2024) (FOIA Request). The Commission is addressing the Privacy Act aspect of your AFR separately. This letter relates solely to the Freedom of Information Act.

³ *Id.*

⁴ Letter from Kalun Lee, Deputy Division Chief, Investigations and Hearings Division, FCC Enforcement Bureau, to Anthony Roland (June 26, 2024).

⁵ AFR at 1. Information about these systems of records can be found on the Privacy Act Information page on the Commission's website, <https://www.fcc.gov/managing-director/privacy-transparency/privacy-act-information#systems>.

explanation of its relevance to the appeal.⁶ Your AFR does not attempt to demonstrate why the Bureau's response to you was in error, nor does it present any legal arguments for the Commission's consideration. Accordingly, we dismiss your AFR under section 0.251(j) of the Commission's rules for failure to articulate specific grounds for review.⁷

Under section 1.115 of the Commission's rules, you have the right to seek Commission review of the Office of General Counsel's dismissal of your AFR under delegated authority.⁸ AFRs filed with the Commission must concisely and plainly state the question presented.⁹ In addition, your AFR must specify, with particularity, the factors that warrant the Commission's consideration of the Office of General Counsel's action, the respects in which that action should be changed, and the form of relief being sought.¹⁰ Your AFR should not simply reiterate arguments about the merits of your underlying FOIA request.¹¹

Should you elect to pursue Commission review, consistent with the standards set forth above, you must submit a new AFR which must be *received* within 30 calendar days of the date that appears on this letter.¹² You may file this AFR by mailing it to Federal Communications Commission, Office of the Secretary, 45 L Street NE, Washington, DC 20554, or it may be submitted electronically by e-mailing it to FOIA-Appeal@fcc.gov. Please caption the envelope (or subject line, if via e-mail) and the application itself as "Review of Freedom of Information Action AFR Dismissal." Your AFR will be addressed consistent with sections 1.115(g) and (h) of the Commission's rules.

If you would like to resolve your dispute without going through the appeals process, you may contact the Commission's FOIA Public Liaison for assistance at:

FOIA Public Liaison
Federal Communications Commission, Office of the Managing Director,
Performance Evaluation and Records Management
45 L Street NE
Washington, DC 20554
(202) 418-0440
FOIA-Public-Liaison@fcc.gov

If you are unable to resolve your FOIA dispute through the Commission's FOIA Public Liaison, the Federal FOIA Ombudsman's office within the Office of Government Information Services

⁶ AFR at 1 (stating that "[t]his request was assigned FCC Control No. 2022-000743").

⁷ See 47 CFR § 0.251(j) (as the Commission's Chief FOIA Officer, "the General Counsel is delegated authority to dismiss FOIA applications for review that are untimely, repetitive, or fail to articulate specific grounds for review").

⁸ 47 CFR § 1.115.

⁹ See 47 CFR § 1.115(b).

¹⁰ *Id.*

¹¹ *Id.*

¹² See 47 CFR §§ 1.115(d), 1.4(b)(5). See also 47 CFR § 1.7 (documents are considered filed with the Commission upon their receipt at the location designated by the Commission).