UNITED STATES MARINE CORPS
OFFICE OF THE STAFF JUDGE ADVOCATE
MARINE CORPS AIR STATION YUMA
BOX 99100
YUMA, ARIZONA 85369-9100

5720
SJA
4 May 21

Brittany Crosby
2793 S Aurora Ave
Yuma, AZ 85365
brittany.crosby@ayahealthcare.com

Dear Mrs. Crosby:

SUBJECT: YOUR FREEDOM OF INFORMATION ACT CASE DON-USMC-2021-005474

This is a response to your Freedom of Information Act requests for video footage from the Child Development Center on Marine Corps Air Station Yuma and incident logs. Your requests were received on April 5, 2021 and April 12, 2021, and assigned file numbers DON-USMC-2021-005274.

Please be advised that there is an ongoing investigation regarding this subject matter and that premature release of the records could hamper that effort. Exemption (b)(7)(A) of the FOIA provides for the withholding of records or information compiled for law enforcement purposes when their disclosure could reasonably be expected to interfere with law enforcement proceedings. We are, therefore, unable to release any responsive documents at this time and must deny your request. Once the investigation is complete, however, you may re-submit your request and we will continue processing it. Please note that, even after the investigation is completed, some or all of the responsive records may still be exempt from disclosure based on one or more of the other FOIA exemption provisions.

In view of the above, you may consider this to be an adverse determination that may be appealed directly within the web based system. If you prefer to use regular mail, you may write to the Department of the Navy Office of the Judge Advocate General (Code 14), 1322 Patterson Avenue SE, Suite 3000, Washington Navy Yard, DC 20374-5066. Your appeal, if any, must be postmarked within 90 calendar days from the date of this email and should include a statement indicating why you believe it should be granted.

You also have the right to seek assistance and/or dispute resolution services from the Marine Corps FOIA Public Liaison, Ms. Sally Hughes, at hqmcfoia@usmc.mil or (703) 614-4008, and/or the Department of the Navy FOIA Public Liaison, Mr. Christopher Julka, at christopher.a.julka@navy.mil or (703) 697-0031. You may also contact the Office of Government Information Services (OGIS) for assistance and/or dispute resolution at ogis@nara.gov or 1-877-684-6448. For more information online about services provided by OGIS, please visit their website at https://ogis.archives.gov.

We have categorized you as an "other requester" for the purpose of assessing FOIA processing fees. As such, you are entitled to two hours of search time and 100 pages of duplication free of charge but are responsible for the payment of any fees beyond that. In this instance, the applicable fees did not exceed your free entitlement so there is no charge for processing this request.

I am the official responsible for this action. Should you have any questions about this action, please contact myself at 928-269-3484 or nathan.cox@usmc.mil.

Sincerely,

N. H. COX
Major, U.S. Marine Corps