

Appeal A Denial due to an Agency's Failure to Respond in a Timely Manner (Sample)

*FOIL Appeals Officer
Name of Agency
Address of Agency
City, NY, ZIP code*

*Re: Freedom of Information
Law Appeal*

Dear _____:

I requested (describe the records) by written request made on _____ (date). More than five business days have passed since the receipt of the request without having received a response... or... Although the receipt of the request was acknowledged and I was informed that a response would be given by _____ (date), no response has been given. Consequently, I consider the request to have been denied, and I am appealing on that basis.

As required by the Freedom of Information Law, the head or governing body of an agency, or whomever is designated to determine appeals, is required to respond within 10 business days of the receipt of an appeal. If the records are denied on appeal, please explain the reasons for the denial fully in writing as required by law.

In addition, please be advised that the Freedom of Information Law directs that all appeals and the determinations that follow be sent to the Committee on Open Government, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, New York 12231.

*Sincerely,
Signature
Name
Address
City, State, ZIP code*