

Exhibit 6

**Declaration of Wilson J. Moorer
Paralegal Specialist
Freedom of Information Act Section
Office of General Counsel, BOP**

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

<hr/>)	
DULCIDIO QUIRINDONGO,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No.: 04-1378 (RCL)
)	
DRUG ENFORCEMENT)	
ADMINISTRATION, et al.,)	
)	
Defendants.)	
<hr/>		

DECLARATION OF WILSON J. MOORER

I, Wilson J. Moorer, do hereby declare and state the following:

1. I am currently a Paralegal Specialist at the Federal Bureau of Prisons, Office of General Counsel, Freedom of Information Act Section, Washington, D.C. I have been employed in this position since April 2003; however, I have been employed with the Bureau of Prisons since July of 1988. My duties include assisting the Chief, Freedom of Information Act/Privacy Act Section and Freedom of Information Administrator in the review and possible release of information requested from the Bureau of Prisons via the Freedom of Information Act.

2. The Freedom of Information Act, commonly referred to as FOIA, is a statute governing the release of government records. In general, FOIA provides that any person has a right, enforceable in court, to obtain access to federal agency records, except to the extent that such records (or portions of them) are protected from public disclosure by one of nine exemptions or by one of three (3) special law enforcement record exclusions.

3. The Plaintiff, Dulcidio Quirindongo, Register Number 51943-066 submitted a FOIA request in which he requested the following information: “all SIS, SIA, Disciplinary, Custody, Security, ITS, ISM, Education, Medical, Mental Health, and other records in all of the following institutions and my Central File: Skullkill, Fairington, Terre Haute, Oklahoma City and USP Beaumont.” See Letter from Dulcidio Quirindongo, to the Federal Bureau of Prisons dated October 21, 2003, a true and correct copy of which is attached here to as Exhibit A.

4. Mr. Quirindongo’s FOIA request was received at the BOP’s FOIA Office, Washington, D.C. on November 3, 2003; however, it was mailed to the BOP’s South Central Regional Office (SCRO) for processing. The request was received by the SCRO, logged in and assigned FOIA Request Number 2004-01217. The SCRO responded to FOIA Request Number 2004-01217 on November 17, 2003 informing Plaintiff that the majority of the records created by the BOP regarding him were being maintained in his Central File at his current place of incarceration. He was informed that the appropriate BOP staff would provide him the opportunity to review the files he requested and obtain copies of any releasable documents. See Letter from Federal Bureau of Prisons to Dulcidio Quirindongo dated November 17, 2003, a true and correct copy of which is attached here to as Exhibit B.

5. On October 13, 2004, I was informed by the Federal Correctional Complex (FCC), Beaumont, Texas, Consolidated Legal Center that Plaintiff was given the opportunity to review his Central File on January 22, 2004 and that he requested and received copies of documents in his Central File that totaled ninety (90) pages. See e-mail from BOP staff member Jaime Rodriguez to fellow staff member Sandra Long, dated October 13, 2004, a true and correct copy

of which is attached here to as Exhibit C.

6. On January 29, 2004, the BOP's FOIA Office received a referral from the United States Marshal Service (USMS). The USMS stated they had located two (2) documents that originated with the BOP and they were referring them to the BOP for action and direct response to the requester. Who in this case was the Plaintiff. See Letter from the USMS to the BOP dated January 22, 2004, a true and correct copy of which is attached here to as Exhibit D. The referral was logged in and assigned FOIA Request Number 2004-03057. BOP responded to FOIA Request Number 2004-03057 on March 19, 2004, releasing one page in its entirety and one page was released with redactions pursuant to 5 U.S.C. §552 (b)(7)(C) and (b)(7)(F). See Letter from Federal Bureau of Prisons to Dulcidio Quirindongo, dated March 19, 2004, a true and correct copy of which is attached here to as Exhibit E. A true and correct copy of the document released in redacted form is attached here to as Exhibit F.

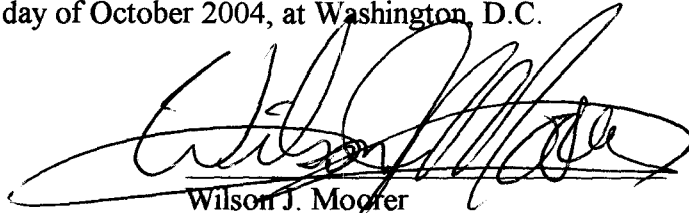
7. Exemption (b)(7)(C) provide for the withholding of records or information compiled for law enforcement purposes which could reasonably be expected to constitute an unwarranted invasion of personal privacy. Exemption (b)(7)(F) provide for the withholding of records or information compiled for law enforcement purposes which could endanger the lives or physical safety of an individual. See Exhibits E & F.

8. As of this date, the BOP's FOIA Office, Washington, D.C. has not heard anything further from Plaintiff Quirindongo on this matter. In addition, the BOP has inquired with the Office of Information and Privacy (OIP), Washington, D.C. as to whether Plaintiff Quirindongo has appealed and they have indicated no appeal is on record for the response given to FOIA

Request Number 2004-003057.

I declare under the penalty of perjury, pursuant to Title 28 U.S.C. § 1746, the foregoing is true and correct to the best of my information, knowledge and belief.

Executed this 14 day of October 2004, at Washington, D.C.

A handwritten signature in black ink, appearing to read 'Wilson J. Moorer', written over a horizontal line.

Wilson J. Moorer
Paralegal Specialist
Federal Bureau of Prisons
Washington, D.C.

EXHIBIT

A

ALL INFORMATION IS
2004-01217

To: Director
Federal Bureau of Prisons
320 First Street, NW
Washington, D. C. 20534

Date: October 21, 2003

Dear Sir:

This is a request under the Freedom of Information Act.

I request a copy of any and all documents, records and information that any part of your agency has or had in its possession that is in any way connected to, related to, or even remotely in reference to my name.

The following particulars may assist you in your search :
All SIS, SIA, Disciplinary, Custody, Security, ITS, ISM, Education, Medical, Mental Health, and any other records in all of the following institutions and my CENTRAL FILE: Skulkill, Fairington, Terre Haute, Oklahoma City and USP Beaumont.

My biographical data is as follows:

FULL NAME: DULCIDIO JOSE QUIRINDONGO
DATE OF BIRTH : October 28, 1954
PLACE OF BIRTH: Peñuelas, Puerto Rico
SOCIAL SECURITY NUMBER: 583-86-0469

I declare under penalty of perjury that the aforementioned data is that of my person and that the signature below is my true and correct signature under oath.

Executed this 21st day of October 2003, 2003

(28 USC Section 1746)

BY X Dulcidio Quirindongo

DULCIDIO QUIRINDONGO

Prison Number 51943-066

United States Penitentiary
Box 26030
Beaumont, Texas 77720

RECEIVED
NOV 12 2003
NOV 3 2003
FOIA/PA SECTION
FEDERAL BUREAU OF PRISON

EXHIBIT

B



U.S. Department of Justice

Federal Bureau of Prisons

South Central Regional Office

4211 Cedar Springs Road, Suite 300
Dallas, TX 75219

November 17, 2003

Dulcidio Quirindongo
Register Number 51943-066
United States Penitentiary
Post Office Box 26030
Beaumont, Texas 77720

Re: Freedom of Information Request Number 2004-01217

Dear Mr. Quirindongo:

This is in response to your recent letter in which you requested copies of all Federal Bureau of Prisons records pertaining to you. Your request is interpreted as a request for copies of documents maintained in your central file, medical, and psychology files, as well as records maintained by the Inmate Telephone System (ITS) and Education departments and investigative records maintained at your current institution and other institutions where you have been previously incarcerated.

Please note, documents generated by the Education and ITS departments are routinely forwarded to your unit team for incorporation into your central file. If you are seeking transactional data from the ITS department, you should submit your request directly to the ITS department where that information can be provided in accordance with locally established procedures. Additionally, the majority of the records created by Bureau of Prisons staff at facilities where you have previously been incarcerated will normally be maintained in your central file.

Bureau of Prisons, Program Statement 1351.05, Release of Information, states that an inmate who wishes to have copies of materials in his file should first present his request to local institution staff. If, after you review the materials locally, you wish to acquire additional documents, you may submit a separate request describing the records sought to the Bureau of Prisons, Office of General Counsel, 320 First Street, N. W.,

SENSITIVE - LIMITED OFFICIAL USE

Washington, D.C. 20534. The envelope and the request must be clearly marked "Privacy Act Request."

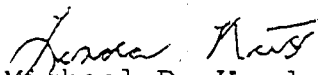
By copy of this letter, I am informing staff at the institution that you should be provided an opportunity to review your central, medical, and psychology files and be provided copies of all releasable documents.

Copies of the documents maintained in the "FOI Exempt" section of your central file and any investigative records pertaining to you have been requested and will be reviewed and released as appropriate by this office.

Your request has been placed in chronological order based on the date of receipt and will be handled as expeditiously as possible when it is assigned for processing.

Please be advised that in accordance with Title 28, Code of Federal Regulations, Section 16.3(c), this request constitutes an agreement by you to pay all applicable fees up to \$25.00. Please do not forward payment at this time. You will be advised of the applicable fees, if any.

Sincerely,


Michael D. Hood
Regional Counsel

lc

cc: R. D. Miles, Warden
USP Beaumont

NOTE: Please have the appropriate staff provide Mr. Quirindongo with an opportunity to review the central, medical, and psychology files pertaining to him and obtain copies of releasable documents. Please note a copy of the releasing correspondence should be forwarded to this office.

EXHIBIT

C

From: Jaime Rodriguez
To: Long, Sandra
Date: 10/13/2004 4:03:59 PM
Subject: Fwd: Re: Quirandango strikes again

Please see attached.

>>> Jaime Rodriguez 10/13/2004 1:10:05 PM >>>

Yup! January 22, 2004. It is logged in the central file activity sheet and I also have a copy of the receipt which I was asked to have him sign when he reviewed the releasable portion of his file (90 copies made). I can send you a fax of both of these if necessary.

>>> Tina Hauck 10/13/2004 9:00:17 AM >>>

Jaime-

Central Office is answering some FOIA litigation filed by this guy (shocking, I know). Did you allow him to review his Central File - any time between like October 2003 until January 2004 would be nice. If he's reviewed it later than that it's fine, too. Please let us know as soon as possible, because D.C. has to have their motion filed tomorrow.

Thanks,
Tina

EXHIBIT

D



WJM

U.S. Department of Justice

United States Marshals Service

Office of General Counsel

SOE/BMF

04-03057

Washington, DC 20530-1000

January 22, 2004

RECEIVED
JAN 29 2004
FOI/PA SECTION
FEDERAL BUREAU OF PRISONS

MEMORANDUM TO: Wanda M. Hunt, Chief, FOIA Section
FOIA/Privacy Act Requests
Federal Bureau of Prisons
Department of Justice
Room 841, HOLC Building
Washington, DC 20534

Tracy Rogers
FROM: FLORESTINE P. GRAHAM
FOI/PA Officer
FLP Office of General Counsel

**SUBJECT: Freedom of Information/Privacy Act Request -
Dulcidio Quirindongo**

In searching our files pursuant to a Freedom of Information/Privacy Act request by the above-named individual, we located 2 documents which originated with or contain information which originated with your agency. Pursuant to 28 C.F.R. § 16.42(d), these documents are being referred to your office for action and direct response to the requester. The name of a USMS employee has been deleted pursuant to exemption 7(C) of the Privacy Act.

A copy of said document and the request are attached. If you have any questions, please contact Tracy Rogers on 202 307-9056.

To: Director

Date: October 21, 2003

United States Marshals Service
United States Department of Justice
Washington, D. C. 20530

RECEIVED
03 OCT 30 PM 3:17
U.S. MARSHALS SERVICE

Dear Sir:

This is a request under the Freedom of Information Act.

I request a copy of any and all documents, records and information that any part of your agency has or had in its possession that is in any way connected to, related to, or even remotely in reference to my name.

The following particulars may assist you in your search :
I will pay fees. Search Skullkill, Fairington, Terre Haute,
Ok City, Beaumont, Texas; and Puerto Rico and all of Pennsylvania.

My biographical data is as follows:

FULL NAME: DULCIDIO JOSE QUIRINDONGO

DATE OF BIRTH : October 28, 1954

PLACE OF BIRTH: Peñuelas, Puerto Rico

SOCIAL SECURITY NUMBER: 583-86-0469

I declare under penalty of perjury that the aforementioned data is that of my person and that the signature below is my true and correct signature under oath.

Executed this 21st day of October, 2003

(28 USC Section 1746)

BY X Dulcidio Quirindongo

DULCIDIO QUIRINDONGO

Peison Number 51943-066

United States Penitentiary
Box 26030
Beaumont, Texas 77720

EXHIBIT

E



Federal Bureau of Prisons

MAR 19 2004

Washington, DC 20534

Dulcidio Quirindongo
Register Number 51943-066
United States Penitentiary
P.O. Box 26030
Beaumont, Texas 77720

For Further Inquiry Contact:
Federal Bureau of Prisons
320 First Street, N.W.
Room 841, HOLC Building
Washington, D.C. 20534
Attn: FOI/Privacy Office

RE: Request for Information, FOIA Request No. 2004-03057

Dear Mr. Quirindongo:

Pursuant to your recent Freedom of Information Act (FOIA) request to the United States Marshals Service (USMS), two (2) pages of documents that originated with the Bureau of Prisons were referred to this agency for processing and direct response to you.

After a careful review, it has been determined the two (2) pages of information are releasable to you. However, pursuant to 5 U.S.C. §552(b)(7)(C) and (b)(7)(F), a portion of one document has been redacted by the USMS and the Bureau of Prisons. Exemption (b)(7)(C) provide for the withholding of records or information compiled for law enforcement purposes which could reasonably be expected to constitute an unwarranted invasion of personal privacy.

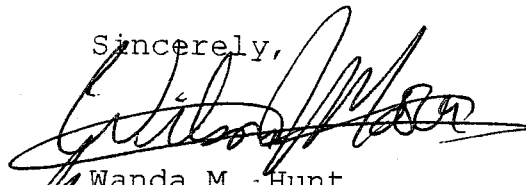
Title 5 U.S.C. §552(b)(7)(F) provides for the withholding of records or information compiled for law enforcement purposes which could reasonably be expected to endanger the lives or physical safety of any individual.

Pursuant to 28 C.F.R. § 16.9, if you are dissatisfied with this response, you may appeal to the Attorney General by filing a written appeal within sixty (60) days of the date of this letter. The appeal should be addressed to the Office of Information and Privacy, U.S. Department of Justice, Flag Building, Suite 570, Washington, D.C. 20530. Both the envelope and appeal letter should be marked "Freedom of Information Act Appeal."

Page 2
Dulcidio Quirindongo
FOIA Request Number 2004-03057

We trust this information is of assistance to you. If you have any questions or concerns please contact Wilson J. Moorer, Paralegal at 202-514-6655, ext.4879.

Sincerely,



Wanda M. Hunt
Chief, FOIA/PA Section

Enclosures: 2 pages

cc: File

EXHIBIT

F

UNITED STATES GOVERNMENT

memorandum

Federal Correctional Institution
Fairton, New Jersey 08320

DATE: May 19, 1999

REPLY TO
THE ATTN OF:

b7c

SUBJECT: Removal of Inmate Dulcerio Quiringdongo #51943-066

TO: [REDACTED] USMS EDPA

nc

This memorandum is to request the removal of inmate Dulcerio Quiringdongo #51943-066, from FCI Fairton, New Jersey. This request is based on an investigation completed by the Special Investigative Lieutenant. Specifically, inmate Quiringdongo threatened serious harm toward inmate (b)(7)(F) is designated to this institution and can not be moved. Based on this information, the CMC assignment of Separation has been assigned to these inmates. Accordingly, we request inmate Quiringdongo not be returned to this institution after his court appearance on May 25, 1999. Thank you for your attention in this matter.