

U.S. DISTRICT COURT
DISTRICT OF COLUMBIA

FILED

SEP 14 2011

Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

PETER GERGACARAKOS
03029-036
P.O. BOX 7000
FLORENCE, CO 81226

V.

Case: 1:11-cv-01655
Assigned To : Bates, John D.
Assign. Date : 9/14/2011
Description: FOIA/Privacy Act

FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
WASHINGTON, D.C. 20530

F.O.I.A. COMPLAINT

I. PROCEDURAL HISTORY

PURSUANT TO 5 U.S.C. § 552, PLAINTIFF BRINGS THIS COMPLAINT FOR VIOLATIONS OF THE FREEDOM OF INFORMATION ACT.

PLAINTIFF IS A FEDERAL PRISONER SERVING A THIRTY YEAR SENTENCE FOR A CONVICTION OF "SECOND DEGREE MURDER" IN THE 1996 DEATH OF RANDALL SCOTT ANDERSON. PLAINTIFF'S DEFENSE AT TRIAL WAS "DEFENSE OF ANOTHER" AND HE WAS IN ACTUALITY, AT WORST GUILTY OF MANSLAUGHTER. BECAUSE

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Mail Room

SEP - 22 2011

Angela D. Caesar, Clerk of Court

THE 302S COLLECTED IN THE INVESTIGATION OF THE ANDERSON DEATH, BY THE FBI, CONTRA EXCULPATORY EVIDENCE PREVIOUSLY WITHHELD FROM PLAINTIFF, HE FILED AN FBI REQUEST FOR DOCUMENTS IN MARCH 2010. SEE ATTACHMENT #1.

THE FBI ACKNOWLEDGED PLAINTIFF'S FOIA RIGHTS AND RECOGNIZED HIS ENTITLEMENT UNDER LAW TO A DISCLOSURE OF DOCUMENTS IN JANUARY 2011. SEE ATTACHMENT 2.

IN VIOLATION OF THE FOIA, HOWEVER, THE FBI REDACTED THE ENTIRETY OF THE CONTENT OF HUNDREDS OF 302S, FIVE SAMPLES OF WHICH ARE IN ATTACHMENT 3. EVERY DOCUMENT RELEASED IS IDENTICAL TO THE SAMPLES.

IN FEBRUARY 2011, PLAINTIFF FILED AN APPEAL WITHIN THE AGENCY, CHALLENGING THE SUPPRESSION OF EVERY SINGLE WORD OF CONTENT IN EVERY SINGLE DOCUMENT. SEE ATTACHMENT 4.

IN JULY 2011, THE ASSOCIATED DIRECTOR OF THE FBI UPHOLD THE REDACTION OF 100% OF THE CONTENT OF HUNDREDS OF 302S. SEE ATTACHMENT 5.

THIS CIVIL ACTION FOLLOWS.

II. THE CLAIMED EXEMPTIONS

THE RATIONALIZATIONS FOR THE COMPLETE REDACTION OF THE CONTENT OF THE 302S OFFERED BY THE FBI ARE (1) "UNWARRANTED INVASION OF THE PERSONAL PRIVACY OF THIRD PARTIES" AND (2) "COULD REASONABLY BE EXPECTED TO DISCLOSE THE IDENTITIES OF CONFIDENTIAL SOURCES,"

WHEREAS PLAINTIFF DID NOT AND DOES NOT OBJECT TO THE REDACTION OF ALL PERSONAL INFORMATION IN THE 302S, AND THE DOCUMENTS CONTAIN EXCULPATORY EVIDENCE WHICH WOULD EXONERATE HIM OF A "SECOND DEGREE MURDER" CONVICTION, RATIONALIZATION #1 IS MOOT AND VIOLATES THE LAW AND THE SPIRIT OF THE FOIA. MOREOVER, SINCE THE PROVIDERS OF THE CONTENT OF THE INFORMATION AT ISSUE WERE FEDERAL PRISONERS, THE VAST MAJORITY OF WHOM WERE AND REMAIN TOTALLY UNKNOWN TO PLAINTIFF, AND THE STATEMENTS AT ISSUE WERE MADE FIFTEEN YEARS AGO, RATIONALIZATION #2 IS ALSO MOOT AND VIOLATES THE LAW AND THE SPIRIT OF THE FOIA.

THE DISCLOSURE OF THE CONTENT OF THE 302S CAN NOT THEREFORE REASONABLY BE EXPECTED TO REVEAL THE STATEMENT-MAKERS' IDENTITIES. IN FACT, IF THIS

EXEMPTION WERE BEING APPLIED SINCERELY RATHER THAN AS MERE PRETEXT TO CIRCUMVENT THE LAW, THEN ONLY SOME ——— CERTAINLY NOT ALL ——— OF THE 302S WOULD HAVE BEEN REDACTED. IT IS REASONABLE TO SUGGEST THAT SOME MINUTELY DETAILED STATEMENTS BY SOME SPECIFIC INDIVIDUALS COULD POSSIBLY REVEAL THE IDENTITY OF THE DECLARANT. IT IS TOTALLY UNREASONABLE, HOWEVER, TO ALLEGE THAT EVERY ONE OF HUNDREDS OF STATEMENT-MAKERS COULD BE IDENTIFIED FROM HUNDREDS OF STATEMENTS MADE IN AN ENVIRONMENT AS IMPERSONAL AS A FEDERAL PRISON.

THE FACT THAT PLAINTIFF IS NOW SERVING A THIRTY YEAR SENTENCE FOR AN ACT HE IS ACTUALLY INNOCENT OF SHOULD WEIGH HEAVILY HERE, IN FAVOR OF REASONABLE DISCLOSURE, IF NECESSARY, OVERLY-SPECIFIC AND THIS POSSIBLY IDENTITY-REVEALING WORDS COULD EASILY HAVE BEEN REDACTED, LEAVING THE EXCULPATORY PORTIONS OF THE 302S. THE FACT THAT ALL 302S WERE REDACTED FOR CONTENT IN THEIR ENTIRETY REVEALS QUITE CLEARLY THAT THE WHOLE NONDISCLOSURE IS SIMPLY AN ATTEMPT TO MAKE AN END-RUN AROUND WELL ESTABLISHED LAW, MOTIVATED BY AN ALL-PURPOSE (AND UNCONSTITUTIONAL)

DESIRE TO SUPPRESS, A PRIORI, EXCULPATORY EVIDENCE. A JURY TRIAL IS REQUESTED TO DETERMINE, OBJECTIVELY, WHETHER THE FBI BELIEVES PLAINTIFF CAN IDENTIFY 1200 FEDERAL PRISONERS FROM 1200 REDACTED STATEMENTS MADE 15 YEARS AGO, OR WHETHER THE AGENCY IS TRYING TO MAINTAIN AN UNLAWFUL CONVICTION.

III. RELIEF SOUGHT

THE PLAINTIFF REQUESTS THE FULL AND FAIR DISCLOSURE OF THE CONTENT OF THE 302S AT ISSUE ——— NOT ANY PERSONAL OR IDENTIFYING INFORMATION ——— SO THAT THE EXCULPATORY EVIDENCE CONTAINED THEREIN MAY BE REVEALED AND EXAMINED AND, IF APPROPRIATE, PRESENTED TO THE COURT OF CONVICTION FOR CONSIDERATION.

DATE: 8/11/11

RESPECTFULLY SUBMITTED,



PETER N. GEORGACARAKOS
P.O. BOX 7000
FLORENCE, CO 81226

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Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

100

ATTACHMENT 1



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

April 6, 2010

MR. PETER GEORGACARAKOS
**03029-036
U.S. PENITENTIARY MAX
POST OFFICE BOX 8500
FLORENCE, CO 81226 8500

FOIPA Request No.: 1145866- 000
Subject: 302 INTERVIEWS/RANDALL
ANDERSON MURDER INVESTIGATION

Dear Mr. Georgacarkos:

- This acknowledges receipt of your Freedom of Information-Privacy Acts (FOIPA) request to the FBI. The FOIPA number listed above has been assigned to your request.
- For an accurate search of our records, please provide the complete name, alias, date and place of birth for the subject of your request. Any other specific data you could provide such as prior addresses, or employment information would also be helpful. If your subject is deceased, please include date and proof of death.
- To make sure information about you is not released to someone else, we require your notarized signature or, in place of a notarized signature, a declaration pursuant 28 U.S.C. § 1746. For your convenience, the reverse side of this letter contains a form which may be used for this purpose.
- If you want the FBI's Criminal Justice Information System (CJIS) to perform a search for your arrest record, please follow the enclosed instructions in Attorney General Order 556-73. You must submit fingerprint impressions so a comparison can be made with the records kept by CJIS. This is to make sure your information is not released to an unauthorized person.
- We are searching the indices to our Central Records System for the information you requested, and will inform you of the results as soon as possible.
- Processing delays have been caused by the large number of requests received by the FBI. We will process your request(s) as soon as possible.

Your request has been assigned the number indicated above. Please use this number in all correspondence with us. Your patience is appreciated.

Very truly yours,

David M. Hardy
Section Chief,
Record/Information
Dissemination Section
Records Management Division



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

July 23, 2010

MR. PETER GEORGACARAKOS
**03029-036
U.S. PENITENTIARY MAX
POST OFFICE BOX 8500
FLORENCE, CO 81226 8500

Request No: 1145866-000
Subject: 302 INTERVIEWS/RANDALL
ANDERSON MURDER

Dear Mr.Georgacarakos :

The purpose of this letter is to advise you of the status of your pending Freedom of Information/Privacy Acts (FOIPA) request at the Federal Bureau of Investigation (FBI). Currently the FBI is searching for, retrieving, scanning, and evaluating files that may be responsive to your request. Many factors may contribute to the time required to process your request; however, the greatest single factor is the number of documents associated with your request.

Once your files have been evaluated as potentially responsive, your request will be forwarded to the "perfected backlog", where your request will wait for assignment to an analyst.

You may inquire as to the status of your request by calling the FBI's FOIPA Public Information Center at 540-868-4593.

Sincerely yours,

A handwritten signature in black ink, appearing to read "D Hardy", is positioned above the typed name.

David M. Hardy
Section Chief,
Record/Information Dissemination Section
Records Management Division



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D C. 20535

October 19, 2010

MR. PETER GEORGACARAKOS

**03029-036

U.S. PENITENTIARY MAX

POST OFFICE BOX 8500

FLORENCE, CO 81226

Request No: 1145866-000

Subject: 302 INTERVIEWS/RANDALL
ANDERSON MURDER

Dear Mr. Georgacarakos:

The purpose of this letter is to advise you of the status of your pending Freedom of Information/Privacy Acts (FOIPA) request at the Federal Bureau of Investigation (FBI). Currently your request is being reviewed by an analyst. The analyst will confirm that all records are responsive to your request and apply exemptions allowed under FOIPA. If your request is for sensitive national security information, then the records must undergo a systematic declassification review prior to application of FOIPA exemptions. Large requests take the longest time to be processed by an analyst.

You may inquire as to the status of your request by calling the FBI's FOIPA Public Information Center at 540-868-4593.

Sincerely yours,

A handwritten signature in black ink, appearing to read "D. Hardy", is positioned above the typed name.

David M. Hardy
Section Chief,
Record/Information Dissemination Section
Records Management Division

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Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

100

ATTACHMENT 2



Federal Bureau of Investigation

Washington, D.C. 20535

January 14, 2011

MR. PETER GEORGACARAKOS
**03029-036
U.S. PENITENTIARY MAX
POST OFFICE BOX 8500
FLORENCE, CO 81226 8500

Subject: 302 INTERVIEWS / RANDALL ANDERSON
MURDER INVESTIGATION

FOIPA No. 1145866- 000

Dear Mr. Georgacarakos:

The enclosed documents were reviewed under the Freedom of Information/Privacy Acts (FOIPA), Title 5, United States Code, Section 552/552a. Deletions have been made to protect information which is exempt from disclosure, with the appropriate exemptions noted on the page next to the excision. In addition, a deleted page information sheet was inserted in the file to indicate where pages were withheld entirely. The exemptions used to withhold information are marked below and explained on the enclosed Form OPCA-16a:

Table with 3 columns: Section 552, Section 552a, and checkboxes for exemptions (b)(1)-(9) and (d)(5), (j)(2), (k)(1)-(7).

256 page(s) were reviewed and 237 page(s) are being released.

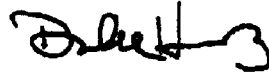
- Document(s) were located which originated with, or contained information concerning other Government agency(ies) [OGA]. This information has been:
referred to the OGA for review and direct response to you.
referred to the OGA for consultation. The FBI will correspond with you regarding this information when the consultation is finished.

You have the right to appeal any denials in this release. Appeals should be directed in writing to the Director, Office of Information Policy, U.S. Department of Justice, 1425 New York Ave., NW, Suite 11050, Washington, D.C. 20530-0001. Your appeal must be received by OIP within sixty (60) days from the date of this letter in order to be considered timely. The envelope and the letter should be clearly marked "Freedom of Information Appeal." Please cite the FOIPA Number assigned to your request so that it may be easily identified.

The enclosed material is from the main investigative file(s) in which the subject(s) of your request was the focus of the investigation. Our search located additional references, in files relating to other individuals, or matters, which may or may not be about your subject(s). Our experience has shown, when ident, references usually contain information similar to the information processed in the main file(s). Because of our significant backlog, we have given priority to processing only the main investigative file(s). If you want the references, you must submit a separate request for them in writing, and they will be reviewed at a later date, as time and resources permit.

See additional information which follows.

Sincerely yours,



David M. Hardy
Section Chief
Record/Information
Dissemination Section
Records Management Division

Enclosure(s):

The enclosed documents responsive to your request are exempt from disclosure in their entirety pursuant to the Privacy Act, Title 5, United States Code, Section 552(a), subsection (j)(2). However, these records have been processed pursuant to the Freedom of Information Act, Title 5, United States Code, Section 552, thereby affording you the greatest degree of access authorized by both laws.

This concludes the processing of your request.

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute(A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could be reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could be reasonably expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

FEDERAL BUREAU OF INVESTIGATION
FOIPA
DELETED PAGE INFORMATION SHEET

Serial Description ~ Unrecorded Serial

Total Deleted Page(s) ~ 19

Page 215 ~ b6, b7C, b7D
Page 216 ~ b6, b7C, b7D
Page 217 ~ b6, b7C, b7D
Page 218 ~ b6, b7C, b7D
Page 219 ~ b6, b7C, b7D
Page 220 ~ b6, b7C, b7D
Page 223 ~ b6, b7C, b7D
Page 228 ~ b6, b7C, b7D
Page 229 ~ b6, b7C, b7D
Page 239 ~ b6, b7C, b7D
Page 240 ~ b6, b7C, b7D
Page 246 ~ b6, b7C, b7D
Page 248 ~ b6, b7C, b7D
Page 271 ~ b6, b7C, b7D
Page 277 ~ b6, b7C, b7D
Page 278 ~ b6, b7C, b7D
Page 279 ~ b6, b7C, b7D
Page 280 ~ b6, b7C, b7D
Page 290 ~ b6, b7C, b7D

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X Deleted Page(s) X
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X for this Page X
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Courts for the District of Columbia

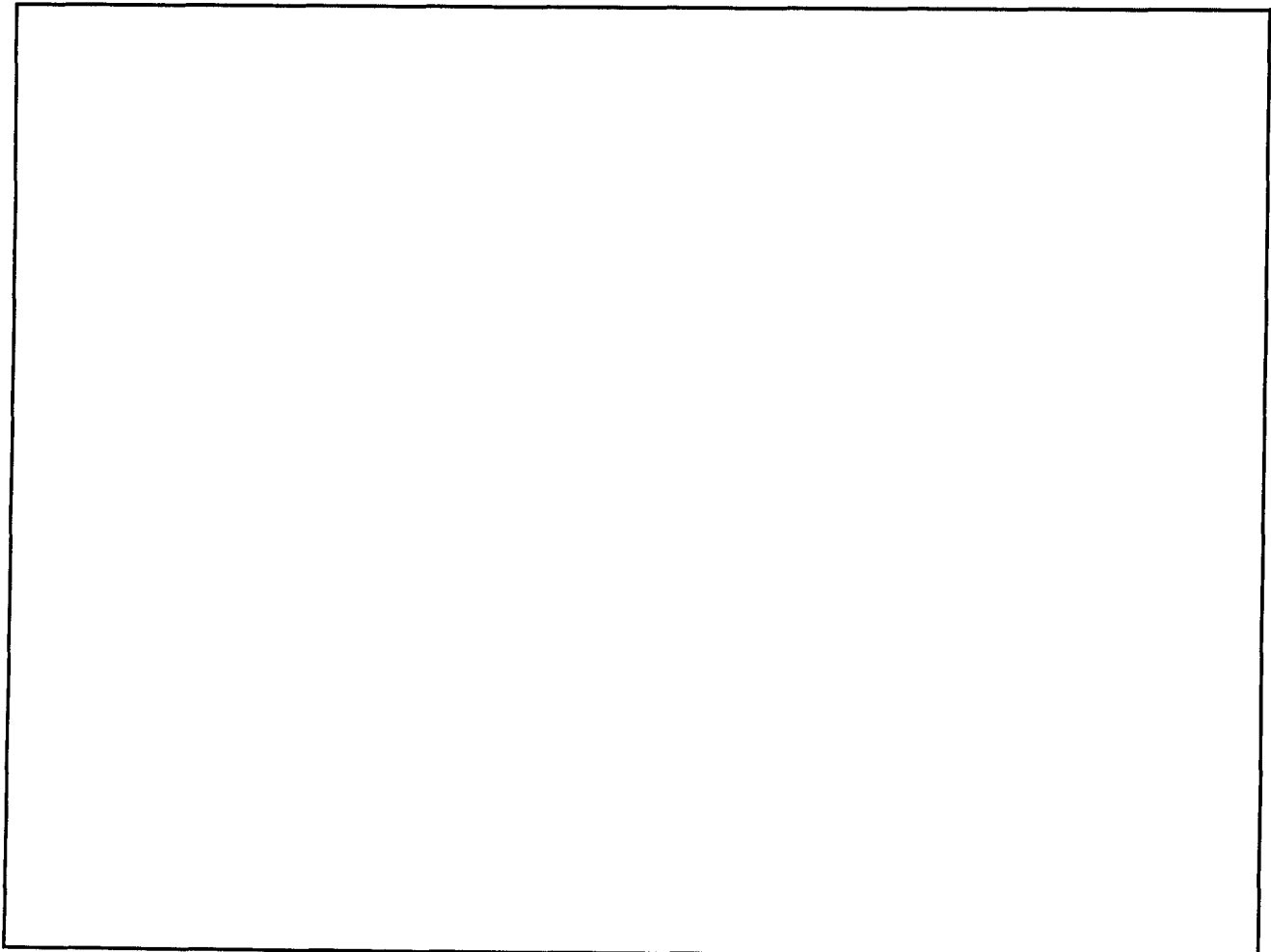
1600

ATTACHMENT 3

11/12/96

U.S. Federal inmate [redacted] was advised of the identity of the interviewing agents, as well as that of Special Investigative Agent, Lieutenant [redacted] UNITED STATES PENITENTIARY, Lewisburg, Pennsylvania. [redacted] then provided the following information:

b6
b7C



b6
b7C
b7D

11/08/96

Lewisburg, Pennsylvania

90A-PH-80620 (WRA) - Serial: 2

11/10/96

SAs [redacted] and [redacted]:sac

b6
b7C

[Redacted]

11/08/96

2

b6
b7C

[Redacted]

b6
b7C
b7D

[Redacted] is described from observation and BUREAU OF PRISONS' records, as follows:

b6
b7C

Name:
Registry Number:
Date of Birth:
Place of Birth:
Race:
Sex:
Height:
Weight:
Hair:
Eyes:
FBI Number:
SSAN:
Legal Residence:

[Redacted]

Male

[Redacted]

Citizenship:
Charge:

United States

Projected Release Date:
Parole Date:
Detainers:

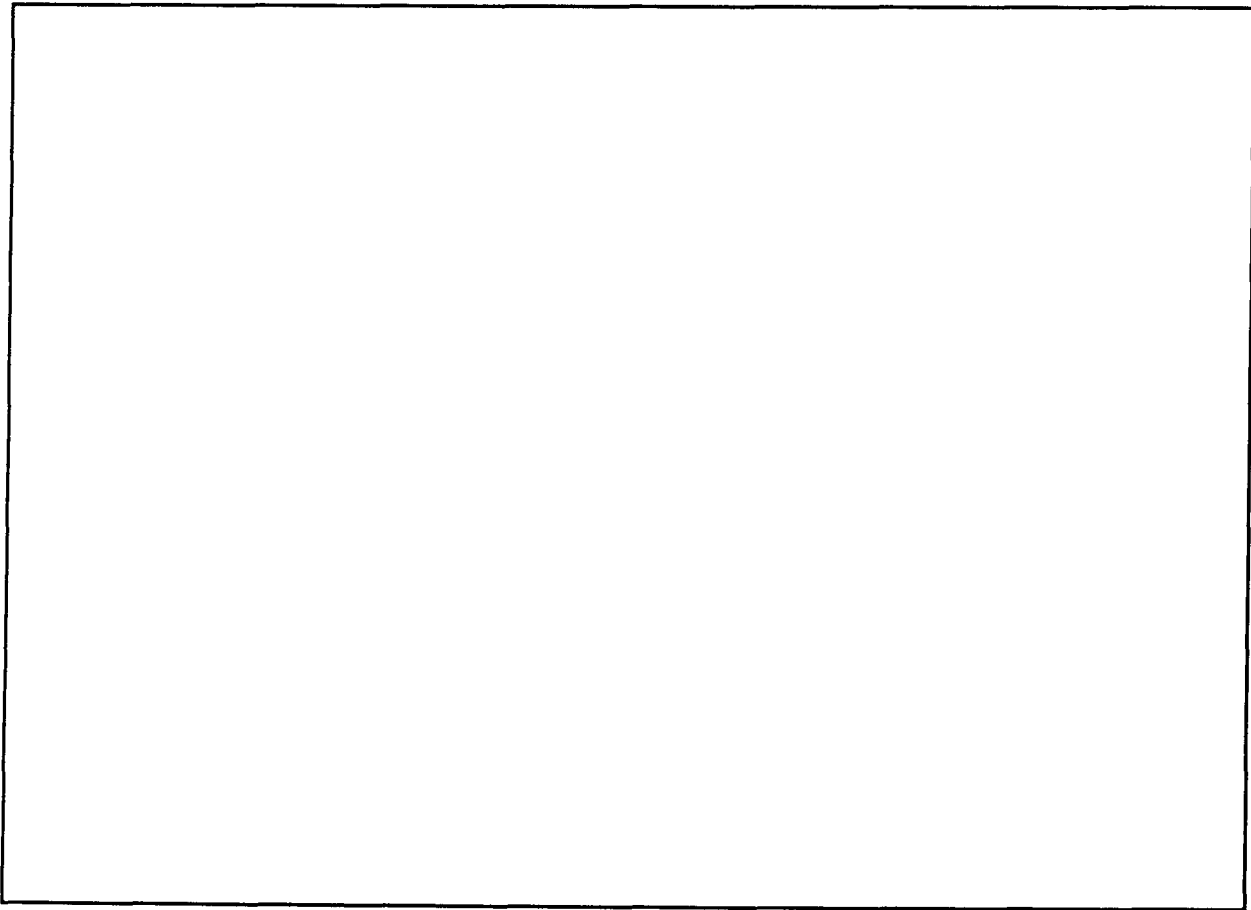
[Redacted]

None

11/12/96

Inmate [redacted] UNITED STATES PENITENTIARY
(USP), Lewisburg, Pennsylvania, Registry Number [redacted] was
advised of the identity of the interviewing agent, as well as
that of Special Investigative Agent, Lieutenant [redacted]
USP, Lewisburg. [redacted] then provided the following
information:

b6
b7C



b6
b7C
b7D

11/08/96 Lewisburg, Pennsylvania

90A-PH-80620 (WRA) - Serial: 3

11/10/96

SAs [redacted] and
[redacted] sac

b6
b7C

[Redacted]

11/08/96

2 b6
b7C

[Redacted] is described from observation and BUREAU OF PRISONS' records as follows:

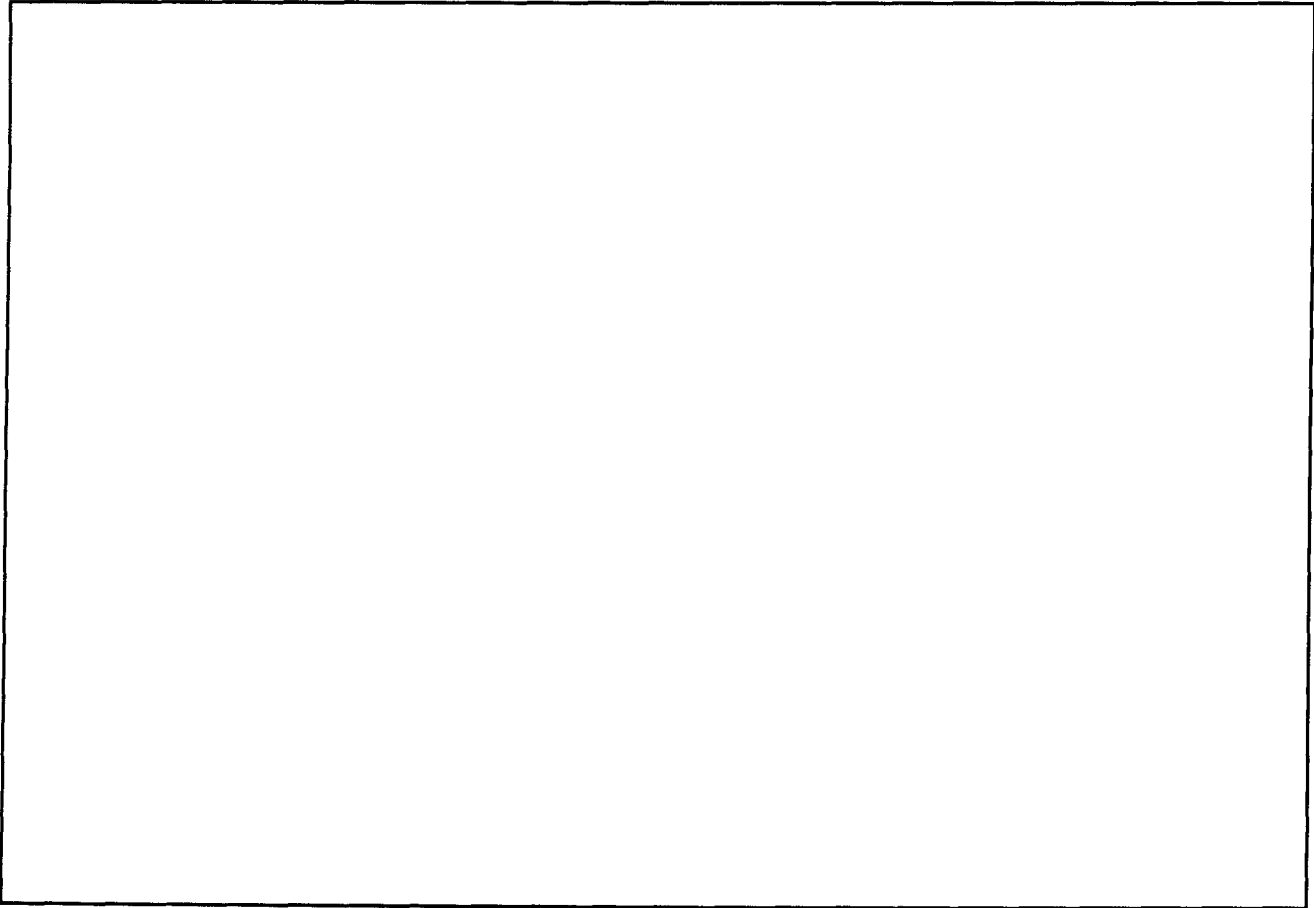
Name:	[Redacted]
Race:	[Redacted]
Sex:	Male
Date of Birth:	[Redacted]
FBI Number:	[Redacted]
SSAN:	[Redacted]
Height:	[Redacted]
Weight:	[Redacted]
Hair:	[Redacted]
Eyes:	[Redacted]
Citizenship:	United States
Place of Birth:	[Redacted]
Legal Residence:	[Redacted]
SSAN:	[Redacted]
Registry Number:	[Redacted]

b6
b7C

11/13/96

[redacted] inmate, Registry Number [redacted]
UNITED STATES PENITENTIARY (USP), Lewisburg, Pennsylvania, was
interviewed along with Special Investigative Agent, Lieutenant
[redacted] and [redacted] was
advised of the identity of the interviewing agent, along with the
nature of the investigation. Thereafter, he furnished the
following information:

b6
b7C



b6
b7C
b7D

11/08/96 Lewisburg, Pennsylvania

90A-PH-80620 (WRA) - Serial: 4

11/09/96

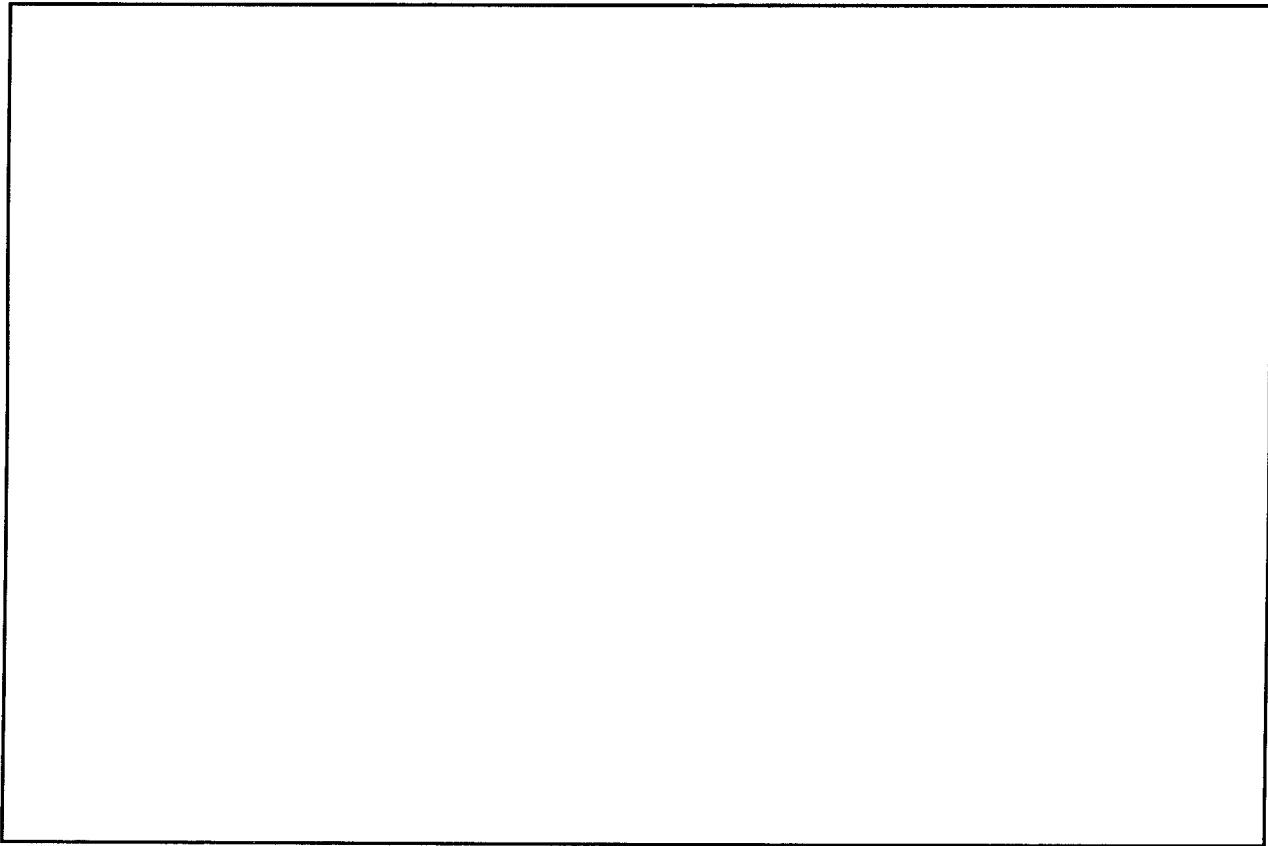
b6
b7C

SA [redacted] sac

[Redacted]

11/08/96

2



b6
b7C
b7D

The following descriptive information concerning [Redacted]
[Redacted] was obtained through observation, interview and
BUREAU OF PRISONS' records:

b6
b7C

Name:
Race:
Sex:
Date of Birth:
Place of Birth:
Height:
Weight:
Hair:
Eyes:
Height:
Weight:

[Redacted]

Male

[Redacted]

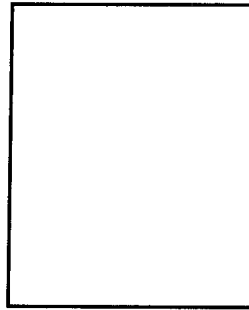
90A-PH-80620 (WRA)



11/08/96

3

FBI Number:



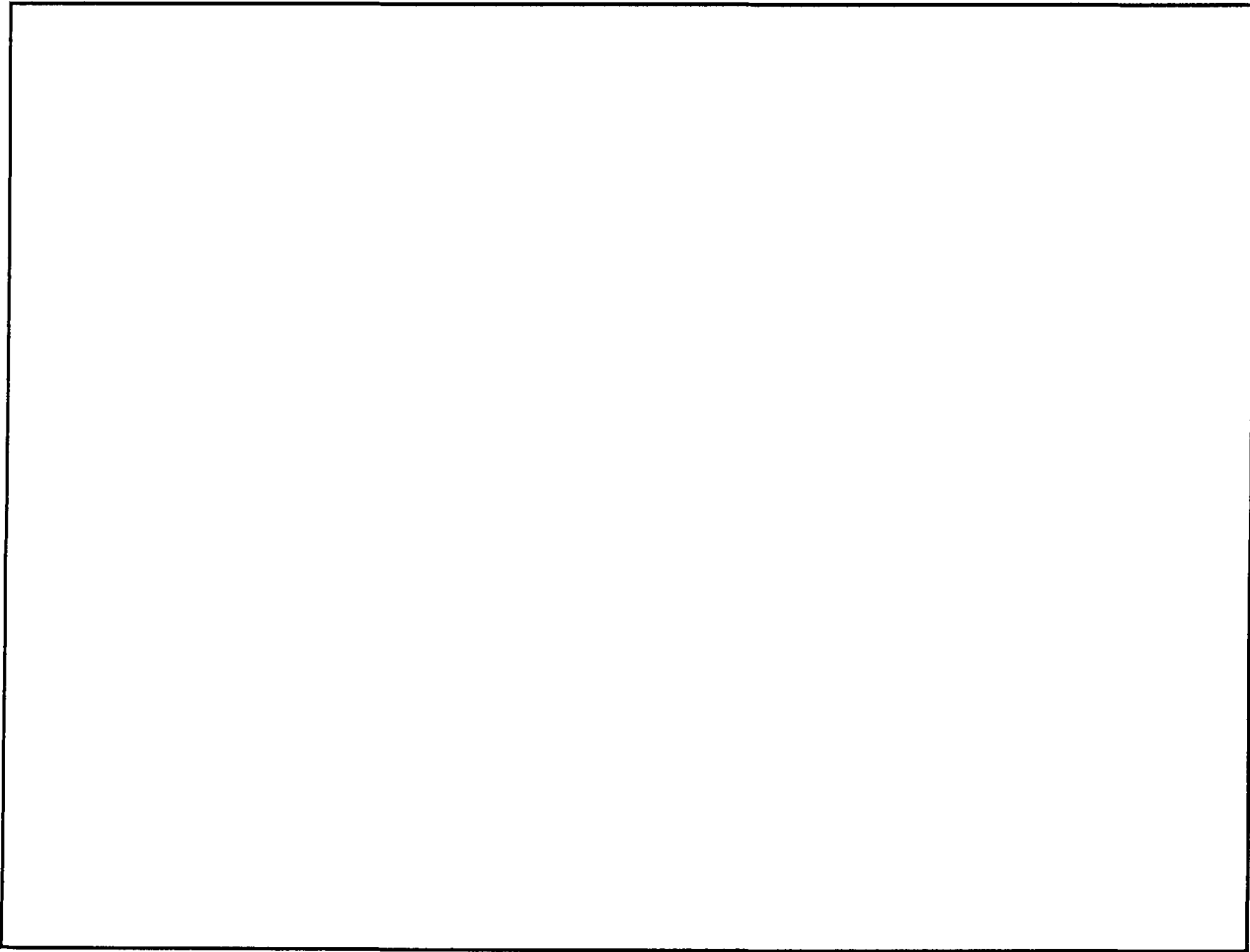
SSAN:
DC DC Number:
PD ID Number:
Offense Charge:

b6
b7C

11/13/96

[redacted] inmate, Registry Number [redacted]
UNITED STATES PENITENTIARY, Lewisburg, Pennsylvania, was
interviewed along with Special Investigative Agent, Lieutenant
[redacted] was advised of the identity of the
interviewing agent, along with the nature of the investigation.
Thereafter, he furnished the following information:

b6
b7C



b6
b7C
b7D

11/08/96

Lewisburg, Pennsylvania

90A-PH-80620 (WRA) - Serial: 5

11/09/96

SA [redacted] sac

b6
b7C

[Redacted]

11/08/96

2

b6
b7C

time.

The following descriptive information regarding [Redacted] was obtained through observation, interview and BUREAU OF PRISONS' records:

Name:
Race:
Sex:
Date of Birth:
Height:
Weight:
Hair:
Eyes:
Place of Birth:
FBI Number:
INS Number:
SSAN:
State ID Number:

[Redacted]

Male

[Redacted]

11/13/96

[redacted] inmate, Registry Number [redacted]
UNITED STATES PENITENTIARY, Lewisburg, Pennsylvania, was
interviewed, along with [redacted]
[redacted] and [redacted] was
advised of the identity of the interviewing agent, Special Agent
[redacted] along with the nature of the investigation.
Thereafter, he furnished the following information:

b6
b7C

[redacted]

b6
b7C
b7D

The following descriptive information was obtained
through observation, interview and BUREAU OF PRISONS' records:

Name:
Race:
Sex:
Date of Birth:
Height:
Weight:
FBI Number:
SSAN:
Place of Birth:
Release Date:

[redacted]

Male

[redacted]

b6
b7C

11/08/96

Lewisburg, Pennsylvania

90A-PH-80620 (WRA) - Serial: 6

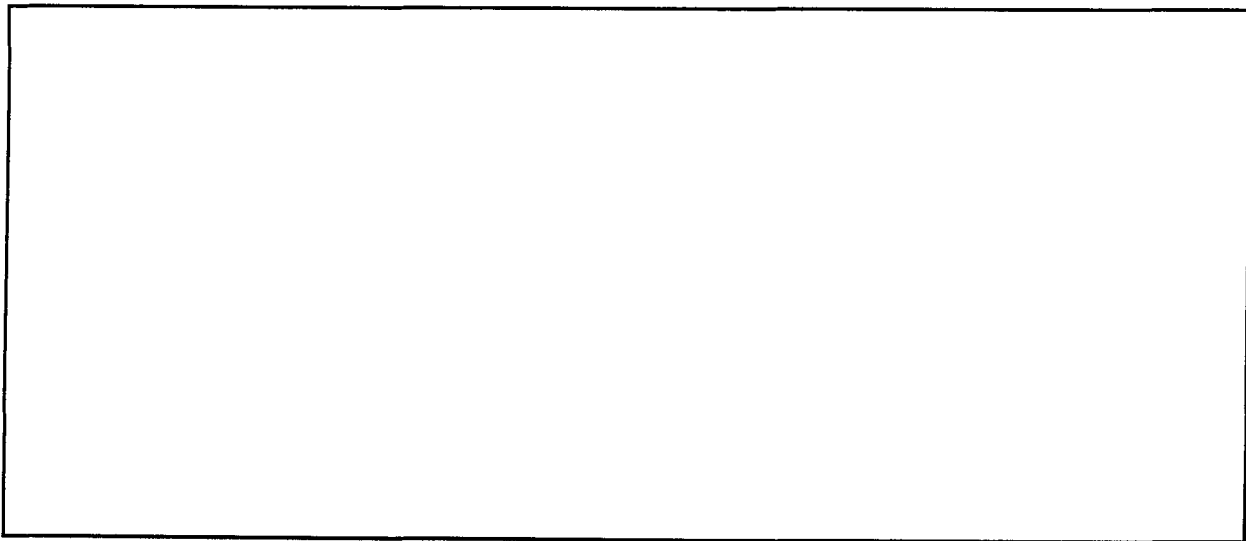
11/09/96

SA [redacted] : sac

11/13/96

[redacted] Registry Number [redacted] UNITED STATES PENITENTIARY, Lewisburg, Pennsylvania, was interviewed, along with Special Investigative Agent [redacted] in the Captain's Office at the institution. [redacted] was advised of the identity of the interviewing agent, along with the nature of the investigation. He was advised of his rights by Special Agent [redacted] utilizing the Interrogation; Advice of Rights form (FD-395). [redacted] advised he understood his rights, but did not wish to sign the form. Thereafter, he furnished the following information:

b6
b7C



b6
b7C
b7D

The following descriptive information regarding [redacted] [redacted] was obtained through observation, interview and BUREAU OF PRISONS' records:

Name: [redacted]
Race: [redacted]
Sex: Male
Date of Birth: [redacted]

b6
b7C

11/08/96 Lewisburg, Pennsylvania

90A-PH-80620 (WRA) - Serial: 8

11/09/96

SA [redacted] : sac

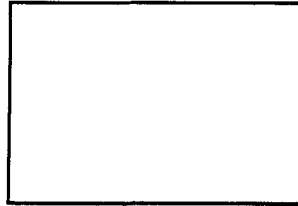
90A-PH-80620 (WRA)



11/08/96

2

Height:
Weight:
Hair:
Eyes:
FBI Number:
SSAN:



b6
b7C

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Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

1000

ATTACHMENT 4

PETER GEORGACARAKOS
03029-036
P.O. BOX 7500
FLORENCE, CO 81226

RE: FOIA APPEAL
1145866-000

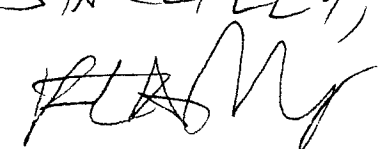
FEBRUARY 9, 2011

DEAR SIR:

I HEREBY APPEAL THE DELETION OF
THE CONTENTS OF ALL MY 302 STATEMENTS.
I UNDERSTAND AND DO NOT OBJECT TO THE
DELETION OF ALL IDENTIFYING INFORMATION, BUT NO
ONE THERE SINCERELY BELIEVES THAT I CAN,
AFTER 14 YEARS, FIGURE OUT THE IDENTITIES BASED
ON THE CONTENT OF HUNDREDS OF STATEMENTS, OR
THAT DELETING ALL CONTENT IS A "DISCLOSURE"
AT ALL.

I HAVE A CONSTITUTIONAL AND LEGAL
RIGHT TO CHECK THE CONTENT OF ALL 302S
FOR EXCULPATORY EVIDENCE UNLAWFULLY WITH-
HELD FROM ME, AND YOU ARE VIOLATING THAT
RIGHT.

THANK YOU.

SINCERELY,

PETER N. GEORGACARAKOS



U.S. Department of Justice

Office of Information Policy

Telephone: (202) 514-3642

Washington, D.C. 20530

MAR 02 2011

Mr. Peter Georgacarakos
Register No. 03029-036
United States Penitentiary
P.O. Box 7000
Florence, CO 81226

Re: Request No. 1145866

Dear Mr. Georgacarakos:

This is to advise you that your administrative appeal from the action of the Federal Bureau of Investigation was received by this Office on February 28, 2011.

The Office of Information Policy has the responsibility of adjudicating such appeals. In an attempt to afford each appellant equal and impartial treatment, we have adopted a general practice of assigning appeals in the approximate order of receipt. Your appeal has been assigned number **AP-2011-01230**. Please mention this number in any future correspondence to this Office regarding this matter.

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 the number above.

Sincerely,

A handwritten signature in black ink, appearing to read "Priscilla Jones", written over a horizontal line.

Priscilla Jones
Supervisory Administrative Specialist

FILED

SEP 14 2011

Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

ATTACHMENT 5



U.S. Department of Justice

Office of Information Policy

Telephone: (202) 514-3642

Washington, D.C. 20530

JUL 29 2011

Mr. Peter Georgacarakos
Register No. 03029-036
United States Penitentiary
Post Office Box 7000
Florence, CO 81226

Re: Appeal No. AP-2011-01230
Request No. 1145866
ADW:RMF

Dear Mr. Georgacarakos:

You appealed from the action of the Federal Bureau of Investigation on your request for access to records pertaining to the FBI's "302" interviews in the murder of Randall Anderson. Because you were convicted of murdering Mr. Anderson, the FBI located the records responsive to your request in your FBI file.

The Freedom of Information Act provides for disclosure of many agency records. At the same time, Congress included in the FOIA nine exemptions from disclosure that provide protection for important interests such as personal privacy, privileged communications, and certain law enforcement activities. After carefully considering your appeal, I am remanding your request for further processing of nineteen pages that were withheld in their entirety. The FBI will send any and all releasable records to you directly, subject to any fees. You may appeal any future adverse determination made by the FBI. If you would like to inquire about the status of your remanded request, please contact the FBI directly. I am otherwise affirming the FBI's action on your request.

The records responsive to your request are exempt from the access provision of the Privacy Act of 1974 pursuant to 5 U.S.C. § 552a(j)(2). See 28 C.F.R. § 16.96 (2010). Because these records are not available to you under the Privacy Act, your request has been reviewed under the FOIA in order to afford you the greatest possible access to them.

The FBI properly withheld certain information that is protected from disclosure under the FOIA pursuant to:

5 U.S.C. § 552(b)(6), which concerns material the release of which would constitute a clearly unwarranted invasion of the personal privacy of third parties;

5 U.S.C. § 552(b)(7)(C), which concerns records or information compiled for law enforcement purposes the release of which could reasonably be expected to constitute an unwarranted invasion of the personal privacy of third parties; and

5 U.S.C. § 552(b)(7)(D), which concerns records or information compiled for law enforcement purposes the release of which could reasonably be expected to disclose the identities of confidential sources and information furnished by such sources.

Please be advised that this Office's decision was taken 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 actions 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).

Sincerely,

A handwritten signature in black ink, appearing to read "Janice Galli McLeod". The signature is written in a cursive style with a large initial "J" and "M".

Janice Galli McLeod
Associate Director