




Apart from naming the wrong defendants, plaintiff does not allege that an agency has improperly withheld records responsive to a properly submitted FOIA request. *See McGehee v. CIA*, 697 F.2d 1095, 1105 (D.C. Cir. 1983) (FOIA jurisdiction “is dependent upon a showing that an agency has (1) improperly; (2) withheld; (3) agency records”) (citation and internal quotation marks omitted)); *Marcusse v. U.S. Dep’t of Justice Office of Info. Policy*, 959 F. Supp. 2d 130, 140 (D.D.C. 2013) (An “agency’s disclosure obligations are triggered by its receipt of a request that ‘reasonably describes [the requested] records’ and ‘is made in accordance with published rules stating the time, place, fees (if any), and procedures to be followed.’”) (quoting 5 U.S.C. § 552(a)(3)(A)). Rather, plaintiff appears to have requested documents only from the United States District Court for the Eastern District of Michigan. *See* Compl. ¶ 7; *see id.*, Ex. (ECF No. 1 at 11-12) (Order Denying Motion for Grand Jury Transcripts, *United States v. Barnes*, No. 16-cr-20387 (E.D. Mich. Oct. 31, 2018)).<sup>1</sup> But the FOIA “adopts the definition of agency contained in 5 U.S.C. § 551 (a)(1)(b), which specifically excludes from its coverage ‘the courts of the United States.’” *Maydak v. U.S. Dep’t of Justice*, 254 F. Supp. 2d 23, 40 (D.D.C. 2003) (citing 5 U.S.C. § 552(f)). Consequently, the Court finds that plaintiff has not stated a viable claim under the FOIA. A separate order of dismissal accompanies this Memorandum Opinion.

DATE: March 6, 2020

  
TREVOR N. McFADDEN  
United States District Judge

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<sup>1</sup> Plaintiff may have prepared a FOIA request for federal government agencies. *See* ECF No. 1 at 19 (Freedom of Information Act/Privacy Act Request Under Title 5 U.S.C. §§ 552, 552a(d)(a)). He neither has alleged nor given any indication that he ever submitted a FOIA request to an agency.