



U.S. Department of Justice

United States Marshals Service

Office of General Counsel

*CG-3, 15th Floor
Washington, DC 20530-0001*

March 29, 2023

Mr. Mark Stephen Burke
46 Kingwood Greens Dr
Kingwood, TX 77339
Email: markburkeusa@gmail.com

Re: Freedom of Information Act Request No. 2023-USMS-000157
Subject: Mark Burke

Dear Mr. Burke:

The United States Marshals Service (USMS) is responding to your Freedom of Information Act (FOIA) request received on January 18, 2023, for records pertaining to the following:

“See attached request (8 page PDF) Formally requests all case file(s), documents, video, phone call data, and recordings, audio or video pertaining to this event, the people involved and their respective information including resumes, along with any related information for the whole period of surveillance, including the time period wherein USMS formally requested removal of Judges data. This should include any judicial requests, whether denied or granted, where USMS sought any orders approving surveillance, not limited to wiretapping or monitoring of home office, residence, personal and business emails, websites, other data or data mining usually associated with a USMS investigation (Date Range for Record Search: From 1/1/2019 To 1/12/2023)”

Pursuant to your request, the USMS conducted a search for records responsive to your request and located no responsive records within the following offices/divisions:

Eastern District of Texas
Southern District of Texas

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. 552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

If you are not satisfied with the United States Marshals Service (USMS) determination in

response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, D.C. 20530, or you may submit an appeal through OIP's FOIA STAR portal by creating an account on the following website: <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

You may also contact Charlotte Luckstone or our FOIA Public Liaison at (703) 740-3943 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,

/s/ TB for
Charlotte Luckstone
Senior Associate General Counsel
FOIA/PA Officer
Office of General Counsel