



KATHLEEN JENNINGS
ATTORNEY GENERAL

DEPARTMENT OF JUSTICE
NEW CASTLE COUNTY
820 NORTH FRENCH STREET
WILMINGTON, DELAWARE 19801

CIVIL DIVISION (302) 577-8400
FAX: (302) 577-6630
CRIMINAL DIVISION (302) 577-8500
FAX: (302) 577-2496
FRAUD DIVISION (302) 577-8600
FAX: (302) 577-6499

OFFICE OF THE ATTORNEY GENERAL OF THE STATE OF DELAWARE

Attorney General Opinion No. 21-IB08

April 21, 2021

VIA EMAIL

Ameera Shaheed
boydissobad@gmail.com

RE: FOIA Petition Regarding the City of Wilmington

Dear Ameera Shaheed:

We write in response to your correspondence alleging that the City of Wilmington violated Delaware's Freedom of Information Act, 29 *Del. C.* §§ 10001-10007 ("FOIA"). We treat your correspondence as a Petition for a determination pursuant to 29 *Del. C.* § 10005 regarding whether a violation of FOIA has occurred or is about to occur. As discussed herein, we determine that the City did not violate FOIA.

On January 25, 2021, you submitted a request through the City's online portal for various records related to parking and traffic citations. You then filed a Petition with this Office, which was received on March 23, 2021, alleging the statutory deadline passed without a response from the City. The City's counsel replied on the City's behalf on March 24, 2021 ("Response"), stating it did respond to your request in a timely fashion. The City's Response enclosed records demonstrating that the City emailed its response to your request on February 3, 2021, providing multiple records.

FOIA requires a public body to respond to a FOIA request within fifteen business days or if the request involves archived or voluminous records or requires legal advice, to advise additional time is needed and estimate the time needed to provide a response.¹ As the City provided a

¹ 29 *Del. C.* § 10003(h).

response to your request less than fifteen business days after receipt, we find that the City did not violate FOIA as alleged.

Very truly yours,

/s/ Dorey L. Cole

Dorey L. Cole
Deputy Attorney General

Approved:

/s/ Aaron R. Goldstein

Aaron R. Goldstein
State Solicitor

cc: John D. Hawley, Assistant City Solicitor, City of Wilmington (via email)