

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

JOHN EAKIN

Plaintiff,

v.

UNITED STATES
DEPARTMENT OF DEFENSE

Defendant

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NO. SA-16-cv-0972-XR

ADVISORY TO THE COURT

Plaintiff John Eakin, *pro se*, provides the following advisory to the Court.

The standards and procedures that apply to FOIA lawsuits are atypical within the field of administrative law. An agency has thirty days from the date of service to answer a FOIA complaint,¹ not the typical sixty days that are otherwise permitted by Federal Rule of Civil Procedure 12(a). Courts are not required to automatically accord expedited treatment to FOIA lawsuits, but they may do so "if good cause therefor is shown."²

The above captioned case has been automatically docketed by the CM/ECF system to be answered sixty (60) days from the date of service rather than the thirty (30) days provided for by the FOIA statute.

Respectfully submitted,

/s/

John Eakin, Plaintiff *pro se*
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¹ 5 U.S.C. § 552(a)(4)(C) (2006), amended by OPEN Government Act of 2007, Pub. L. No. 110-175, 121 Stat. 2524

² Federal Courts Improvement Act, 28 U.S.C. § 1657 (2006)

CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of October, 2016, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to all parties of record.

/s/

John Eakin, Plaintiff pro se