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Marvin Tutt | PAO complaint

1 message

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Wed, Dec 3, 2025 at 5:27 PM

To: PIA.Ombuds@oag.state.md.us

This is Marvin Tutt. I'm formally filing a complaint against the PAO.

November 10, 2025: I submitted a PIA request to PAO for administrative metadata regarding matters referencing me. I explicitly excluded mediation content and requested only non-confidential routing data.

November 13, 2025: PAO responded: "We do not have any records that reference you."

November 13, 2025: I replied noting that given my documented interactions with Maryland agencies and knowledge of OAG contact with PAO, "no records" was implausible.

November 24, 2025: PAO's "final response" now stated they found "an email" referencing me, but withheld it entirely.

November 24, 2025: I requested segregation of non-exempt portions, Vaughn index, and certification of comprehensive search.

December 3, 2025: PAO's second "final response" now states they found TWO potentially responsive records, but still refuses to produce even header metadata (To/From/Date/Subject).

THE PROBLEM:

1. **Story changed:** Zero → One → Two records. This progression suggests inadequate search or bad faith disclosure.
2. **Overbroad exemption claim:** PAO claims ALL information submitted to them is categorically exempt from MPIA under GP § 4-101(k)(3)(ii). This interpretation would exempt even administrative routing data like sender identity and dates.
3. **Failure to segregate:** GP § 4-203 requires production of non-exempt portions. Header metadata is not "mediation content."
4. **No Vaughn index:** Despite request, PAO refused to provide document-by-document justification for withholding.
5. **Conflict of interest:** PAO cannot serve as neutral mediator for dispute against itself. I request direct PIACB review.

RELIEF REQUESTED:

- Production of header metadata (To/From/Date/Subject) for withheld communications
- Comprehensive search of all systems specified in my request
- Vaughn index for any continued withholdings
- PIACB review due to conflict of interest

4 attachments**Ombuds_Request_Form(1).docx**

398K

**Final Response to Marvin Tutt.pdf**

580K



Final Response to Tutt - 12-3-25.pdf

381K



Gmail - PIA request - Marvin D. Tutt.pdf

499K