



U.S. Department of Justice

Civil Rights Division

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Disability Rights Section - NYA  
950 Pennsylvania Avenue N.W.  
Washington, DC 20530

DJ# 204-11-0

MAR 22 2006

Mr. J. Michael Trujillo, Director  
Departmental Office of Civil Rights  
Office of the Secretary  
U.S. Department of Transportation  
400 7th Street, S.W., Room 10215  
Washington, D.C. 20590

RE: Correspondence of Troy Wilkes v. Bay Area Rapid Transit  
(BART)  
Date Received by DOJ: February 16, 2006

Dear Mr. Trujillo:

We have determined that the enclosed matter is not within the jurisdiction of our office and are referring it to you for appropriate disposition. We are sending the complainant a copy of this letter so he/she will know how to contact you.

If you have jurisdiction under section 504 of the Rehabilitation Act of 1973, as amended, please investigate the allegations for compliance with both your agency's section 504 regulation and the Department of Justice's title II regulation, 28 C.F.R. part 35.

If you have jurisdiction under title II of the Americans with Disabilities Act of 1990, please investigate the allegations under the procedures in 28 C.F.R. part 35, subpart F.

Because we are responsible for coordinating enforcement of title II of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act, please send us any final written disposition of complaints alleging noncompliance with title II or Section 504. You may use the enclosed Final Disposition Response form for this purpose. In all correspondence please refer to the complainant's name and the alleged discriminating entity.

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If you have no jurisdiction over this complaint, please promptly return it to us.

Sincerely,

Catherine C. O'Brien  
Civil Rights Program Analyst  
Disability Rights Section  
Civil Rights Division

## Enclosures

CC:

Troy Wilkes