

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

|                                       |   |                                       |
|---------------------------------------|---|---------------------------------------|
| _____                                 | ) |                                       |
| <b>VERNON BONNER,</b>                 | ) |                                       |
|                                       | ) |                                       |
| <b>Plaintiff,</b>                     | ) |                                       |
|                                       | ) |                                       |
| <b>v.</b>                             | ) | <b>Civil Action No. 06-2051 (EGS)</b> |
|                                       | ) |                                       |
| <b>SOCIAL SECURITY ADMIN. et al.,</b> | ) |                                       |
|                                       | ) |                                       |
| <b>Defendants.</b>                    | ) |                                       |
| _____                                 | ) |                                       |

**MEMORANDUM OPINION**

Plaintiff Vernon Bonner sued under the Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”), alleging that five defendant agencies, had failed to release requested records in violation of the law. On September 4, 2008, this Court granted summary judgment to the Social Security Administration, the Federal Bureau of Investigation, the Department of Veterans Affairs, and the Executive Office of the United States Attorney in the Department of Justice, and withheld judgment as to the Department of State (“DOS”), in order to allow plaintiff sufficient time after receiving notice of his obligations to respond to the most recent filing by the DOS.

The plaintiff has now responded, stating that the DOS conducted a “professional search” and none of the records sought were located. “And based on this, the Bonners agree that the DOS motion should be granted.” (Civil Stmt. from Pl. at 1.)

The DOS’ second declaration, submitted with its supplement to its motion for summary judgment described in detail the DOS search based on the information Bonner provided. It also stated that under the standard record retention policy in effect at the embassies where the search was conducted, the documents Bonner sought would have been destroyed prior to the submission

