



U.S. Department of Justice
Office of Information Policy
Suite 11050
1425 New York Avenue, NW
Washington, DC 20530-0001

Telephone: (202) 514-3642

April 1, 2016

Mr. Larry Saccato
Supreme Law Firm
1224 N.E. Walnut, No. 257
Roseburg, OR 97470

Re: OLP/16-002106 (F)
VRB:LAD:SBT

Dear Mr. Saccato:

We have received your envelope enclosing a copy of the Freedom of Information Act (FOIA) request of David Pflum dated June 16, 2015, and received in this Office on June 22, 2015, seeking the Presidential Commission, Senate Confirmation document, Oath of Office, and Appointment Affidavits pertaining to U.S. District Court Judges J. Thomas Marten and Lawrence L. Piersol, Court Clerk Timothy O'Brien, United States Attorney Barry Grissom, and Assistant United States Attorney Christine Kenney. This response is made on behalf of the Office of Legal Policy.

For your information, we responded to Mr. Pflum's FOIA request by letter dated July 16, 2015. A copy of that response is enclosed.

If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy, United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through this Office's FOIAonline portal at <https://foiaonline.regulations.gov/foia/action/public/home>. Your appeal must be postmarked or transmitted electronically within sixty days from the date of this letter. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

L. Day
for

Vanessa R. Brinkmann
Senior Counsel

Enclosures



U.S. Department of Justice
Office of Information Policy
Suite 11050
1425 New York Avenue, NW
Washington, DC 20530-0001

FILE

Telephone: (202) 514-3642

July 16, 2015

Mr. David G. Pflum
110 West Bertrand
St. Mary's, KS 66536

Re: OLP/15-04306 (F)
VRB:LAD:SBT

Dear Mr. Pflum:

This responds to your Freedom of Information Act (FOIA) request dated June 16, 2015, and received in this Office on June 22, 2015, for the Presidential Commission, Senate Confirmation document, Oath of Office, and Appointment Affidavits pertaining to U.S. District Court Judges J. Thomas Marten and Lawrence L. Piersol, Court Clerk Timothy O'Brien, United States Attorney Barry Grissom, and Assistant United States Attorney Christine Kenney. This response is made on behalf of the Office of Legal Policy.

Regarding the portions of your request pertaining to United States Attorney Grissom and Assistant United States Attorney Kenney, please be advised that a copy of your request has been forwarded to the Executive Office for United States Attorneys (EOUSA), as EOUSA is the component more likely to maintain the records you seek. That component will contact you directly if it has not already done so. You will need to contact EOUSA regarding the processing status of your request. Contact information for EOUSA is available at the following link: www.justice.gov/usao/resources/making-foia-request.

Please be advised that a search has been conducted in the Office of Legal Policy (OLP) and four records, totaling four pages, were located that are responsive to your request. I have determined that three documents, totaling three pages, are appropriate for release without excision and copies are enclosed. Also enclosed is one document, totaling one page, that is appropriate for release with excisions made pursuant to Exemption 6 of the FOIA, 5 U.S.C. § 552(b)(6), which pertains to information the release of which would constitute a clearly unwarranted invasion of the privacy of a third party. None of the information being withheld is appropriate for discretionary disclosure.

Additionally, please be advised that while we did not locate the documents you requested pertaining to Judge J. Thomas Marten, this does not mean that these documents do not exist, nor does it mean that this judge is not duly authorized. The Department of Justice is not the official repository for this type of record; therefore, not all documents are forwarded to OLP for inclusion in its files. For your information, OLP, for which this Office processes FOIA requests, maintains records pertaining to all sitting federal judges, except magistrate, bankruptcy, Tax Court, Veterans Appeals Court and military Courts of Appeal judges. Records relating to all federal judges, as well as other federal court employees such as Court

Clerk Timothy O'Brien, are maintained by the Administrative Office of the United States Courts (AOUSC). As the AOUSC is an entity within the judicial branch, it is not subject to the FOIA. Although the policy of the AOUSC is to not release documents to the public, should you wish to contact that entity for records pertaining to Judge Marten or Mr. O'Brien, the address follows:

Judges Compensation and Retirement Services Office
Administrative Office of the United States Courts
One Columbus Circle, NE
Washington, DC 20544

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. § 552(c) (2012). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy, United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through this Office's eFOIA portal at www.justice.gov/oip/efoia-portal.html. Your appeal must be postmarked or transmitted electronically within sixty days from the date of this letter. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

 for

Vanessa R. Brinkmann
Senior Counsel

Enclosures

OATH OF OFFICE FOR UNITED STATES JUDGES

(Title 28, Sec. 453 and Title 5, Sec. 3331, United States Code)

I, Lawrence L. Piersol....., do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as United States District Judge for the District of South Dakota..... under the Constitution and laws of the United States; and that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter.
SO HELP ME GOD.

Lawrence L. Piersol

Subscribed and sworn to (or affirmed) before me this eleventh day of December, 19 93.

Actual abode [REDACTED] Richard S. Arnold
Official station* Sioux Falls, S.D. Chief Judge, United States Court of Appeals for the Eighth Circuit
Date of birth [REDACTED]
Date of entry on duty 11th December, 1993

UNITED STATES OF AMERICA }
DISTRICT OF SOUTH DAKOTA } 55
I, WILLIAM F. CLAYTON, Clerk of the United States District Court for the District of South Dakota, hereby certify that this document foregoing is a true copy of the original now on file in my office.
Done this 16th day of December, 1993.
WILLIAM F. CLAYTON, Clerk
By Nancy Hanson
Deputy

*Title 28, sec. 456 United States Code, as amended.

APPOINTMENT AFFIDAVITS

United States District Court

(Position to which appointed)

November 23, 1993

(Date of appointment)

Judicial Branch -

Judiciary

Sioux Falls, South Dakota

District of South Dakota

(Bureau or division)

(Place of employment)

I, Lawrence L. Piersol

, do solemnly swear (or affirm) that—

A. OATH OF OFFICE

I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

B. AFFIDAVIT AS TO STRIKING AGAINST THE FEDERAL GOVERNMENT

I am not participating in any strike against the Government of the United States or any agency thereof, and I will not so participate while an employee of the Government of the United States or any agency thereof.

C. AFFIDAVIT AS TO PURCHASE AND SALE OF OFFICE

I have not, nor has anyone acting in my behalf, given, transferred, promised or paid any consideration for or in expectation or hope of receiving assistance in securing this appointment.

Lawrence Piersol

(Signature of appointee)

Subscribed and sworn (or affirmed) before me this 11th day of December A.D. 19 93,

at Sioux Falls

(City)

South Dakota

(State)

[SEAL]

Jacqueline K. Hammond

(Signature of officer)

Commission expires 1-24-97

(If by a Notary Public, the date of expiration of his Commission should be shown)

Notary Public - S.Dak.

(Title)

NOTE.—The oath of office must be administered by a person specified in 5 U.S.C. 2903. The words "So help me God" in the oath and the word "swear" wherever it appears above should be stricken out when the appointee elects to affirm rather than swear to the affidavits; only these words may be stricken and only when the appointee elects to affirm the affidavits.

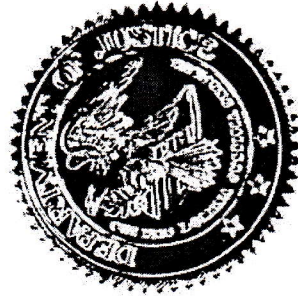
William Jefferson Clinton

President of the United States of America,

To all who shall see these Presents, Greetings:

Know Ye, That relying special trust and confidence in the Wisdom, Affluence, and Learning of Lawrence L. Pierson, of South Dakota, I have nominated, and, by and with the advice and consent of the Senate, do appoint him United States District Judge for the District of South Dakota, and do authorize and empower him to create and fulfil the duties of that Office according to the Constitution and Laws of the said United States, and to Hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining, unto Him, the said Lawrence L. Pierson during his good behavior.

In testimony whereof, I have caused these Letters to be made public and the seal of the Department of Justice to be hereunto affixed.



Done at the City of Washington this twenty-second day of November, in the year of our Lord one thousand nine hundred and ninety-three, and of the Independence of the United States of America the two hundred and eighteenth.

By the President,

Justices
Attorney General

William Pierson

Senate of the United States
IN EXECUTIVE SESSION

November 20, 1993

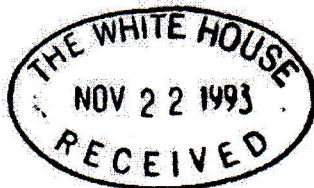
Resolved, That the Senate advise and consent to the following
nomination:

Lawrence L. Piersol, of South Dakota, to be United States District Judge
for the District of South Dakota.

Attest:

Walter J. Stewart

Secretary



Department of Justice

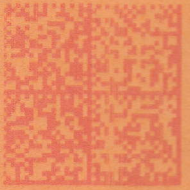
NYAV-11050

D.C. 20530

Business
Private Use \$300

Mr. Larry Saccato
Supreme Law Firm
1224 N.E. Walnut, No. 257
Roseburg, OR 97470

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04/01/2016

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