



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

Telephone: (202) 514-3642

February 25, 2016

Mr. Larry Saccato
No. 257
1224 NE Walnut
Roseburg, OR 97470

Re: OLP/16-01630 (F)
VRB:LAD:SBT

Dear Mr. Saccato:

This responds to your Freedom of Information Act (FOIA) request dated January 19, 2016, and received in this Office on February 8, 2016, for the Presidential Commission, Oath of Office, Appointment Affidavits and Senate Confirmation document pertaining to Judge Stephen J. Murphy III. This response is made on behalf of the Office of Legal Policy.

Please be advised that a search has been conducted in the Office of Legal Policy 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 an excision 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 personal privacy of a third party. None of the information being withheld is appropriate for discretionary disclosure. We note that you described Judge Murphy in your request letter as being seated on the U.S. Court of Appeals for either the Ninth Circuit or the Second Circuit. However, according to the website of the U.S. District Court for the Eastern District of Michigan, Judge Murphy is currently seated there. The appointment documents we have located pertaining to Judge Murphy concern his appointment to the Eastern District of Michigan.

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 OIP's FOIAonline portal at <https://foiaonline.regulations.gov/foia/action/public/home>. Your appeal must be postmarked or electronically transmitted within sixty

days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,



for

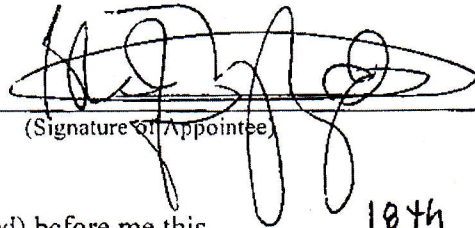
Vanessa R. Brinkmann
Senior Counsel

Enclosures

OATH OF OFFICE FOR UNITED STATES JUDGES

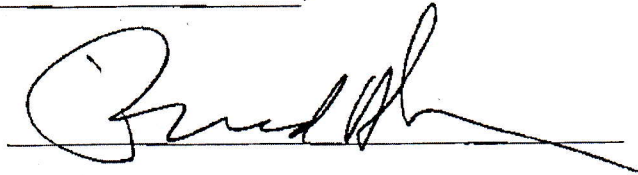
(Title 28, Sec. 453 and Title 5, Sec. 3331, United States Code)

I, Stephen Joseph Murphy III, 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 Eastern District of Michigan 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.



(Signature of Appointee)

Subscribed and sworn to (or affirmed) before me this 18th day
of August 2008



Actual abode: _____
Official station* Detroit
Date of birth (b) (6)
Date of Entry on Duty 8/18/2008

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

APPOINTMENT AFFIDAVITS

United States District Judge; Eastern District of Michigan
(Position to which Appointed)

08/18/2008
(Date Appointed)

United States District Court
(Department or Agency)

Eastern District of Michigan
(Bureau or Division)

Detroit
(Place of Employment)

I, Stephen Joseph Murphy III, do solemnly swear (or affirm) that--

A. OATH OF OFFICE

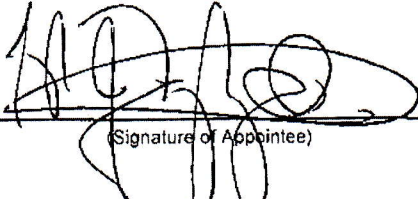
I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the 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 THE PURCHASE AND SALE OF OFFICE

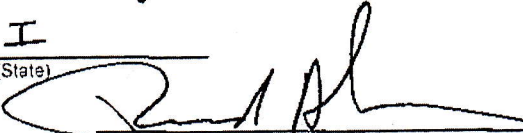
I have not, nor has anyone acting in my behalf, given, transferred, promised or paid any consideration for or in expectation or hope of receiving assistance in securing this appointment.


(Signature of Appointee)

Subscribed and sworn (or affirmed) before me this 18 day of August, 2008

at Detroit
(City)

MI
(State)


(Signature of Officer)

(SEAL)

Bernard A. Friedman
Chief Judge
(Title)

Commission expires _____
(If by a Notary Public, the date of his/her Commission should be shown)

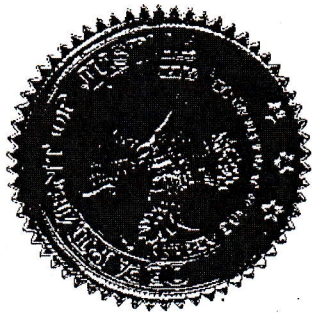
Note - If the appointee objects to the form of the oath on religious grounds, certain modifications may be permitted pursuant to the Religious Freedom Restoration Act. Please contact your agency's legal counsel for advice.

George W. Bush

President of the United States of America.

To all who shall see these Presents, Greeting.

Know Ye: That, reposing special trust and confidence in the Wisdom, Uprightness, and Learning of Stephen Joseph Murphy III, of Michigan, I have nominated, and, by and with the advice and consent of the Senate, do appoint him United States District Judge for the Eastern District of Michigan, and do authorize and empower him to execute and fulfill 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 Stephen Joseph Murphy III during his good behavior.



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

Done at the City of Washington, this eighteenth day of August, in the year of our Lord, two thousand, eight

and of the Independence of the United States of America, the two hundred and thirty-third.

By the President.

William H. Rehnquist
Attorney General

George W. Bush

Senate of the United States

IN EXECUTIVE SESSION

June 24, 2008

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

Stephen Joseph Murphy III, of Michigan, to be United States District Judge for the Eastern District of Michigan, vice Patrick J. Duggan, retired.

Attest:

Kancy Diebston
Secretary.



