

3/14/82

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

J. GARY SHAW  
105 Poindexter  
Cleburne, Texas 76031

Plaintiff,

v.

CENTRAL INTELLIGENCE AGENCY  
Washington, D.C. 20505

Defendant.

Civil Action No. \_\_\_\_\_

COMPLAINT

For Declaratory and Injunctive Relief

1. This case is brought under the Freedom of Information Act, 5 U.S.C. Sec. 552, as amended by Pub. L. No. 93-502, 88 Stat. 1561, and the Administrative Procedure Act, 5 U.S.C. Secs. 701-706, to require defendant to permit access to certain records in its possession.

2. This Court has jurisdiction over this cause of action pursuant to 5 U.S.C. 552(a)(4)(B) and 5 U.S.C. Sec. 702.

3. Plaintiff J. Gary Shaw is an individual residing at 105 Poindexter, Cleburne, Texas 76031.

4. Defendant Central Intelligence Agency is an agency of the United States and has possession of the records to which plaintiff seeks access.

5. On July 15, 1980, plaintiff made a formal request under the Freedom of Information Act, 5 U.S.C. Sec. 552, to defendant Central Intelligence Agency for copies of six photographs of six people which accompanied CIA Document 555-809 of its records on the John F. Kennedy assassination, as well as the identities of the six people, if determined.

6. On October 6, 1981, having received no substantive reply to his request within the statutory ten-day period, plaintiff repeated his request and asked for a status report.

7. To date, plaintiff has received neither the requested photographs or a denial of access thereto.

REQUESTED RELIEF

8. Pursuant to 5 U.S.C. Sec. 552(a) (3), plaintiff is entitled to access to the requested records.

9. There is no legal basis for defendant's withholding of such access.

10. The defendant has abused its discretion and acted in an arbitrary and capricious manner in withholding information sought by plaintiff.

WHEREFORE, plaintiff prays that the Court (1) order defendant to produce the requested documents to ~~him~~<sup>him</sup> for inspection and copying; (2) in cases of withholding or deletions, order defendant to prepare an index, description, and justification in accordance with the requirements of Vaughn v. Rosen, 484 F.2d 820 (D.C. Cir. 1973), cert. denied, 415 U.S. 977 (1974); (3) provide for expeditious proceedings in this action as provided in 5 U.S.C. 552(2) (4) (D); (4) award plaintiff his costs and reasonable attorneys' fees in this case; and (5) grant such other and further relief as the Court may deem just and proper.



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Dated: March 12, 1982