

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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**No. 11-5296**

**September Term 2011**

**1:03-cv-02126-GK**

**Filed On: March 28, 2012**

James Lutcher Negley,

Appellant

v.

Federal Bureau of Investigation,

Appellee

**BEFORE:** Henderson, Tatel, and Brown, Circuit Judges

**ORDER**

Upon consideration of the motion for summary affirmance, the opposition thereto, and the reply, it is

**ORDERED** that the motion for summary affirmance be granted. The merits of the parties' positions are so clear as to warrant summary action. See Taxpayers Watchdog, Inc. v. Stanley, 819 F.2d 294, 297 (D.C. Cir. 1987) (per curiam). The Federal Bureau of Investigation's ("FBI") use of the date of appellant's request as a cut-off for its search was reasonable under the circumstances. See Public Citizen v. Dep't of State, 276 F.3d 634 (D.C. Cir. 2002); McGehee v. CIA, 697 F.2d 1095, 1100-02 (D.C. Cir. 1983). The FBI has otherwise demonstrated "that it made a good faith effort to conduct a search for the requested records, using methods which can be reasonably expected to produce the information requested." Oglesby v. U.S. Dep't of the Army, 920 F.2d 57, 68 (D.C. Cir. 1990). The district court properly concluded that the FBI provided sufficient justification for withholding identifying information of individuals pursuant to Freedom of Information Act Exemption 7(C), 5 U.S.C. § 552(b)(7)(C), see ACLU v. U.S. Dep't of Defense, 628 F.3d 612, 619 (D.C. Cir. 2011), and appellant has not demonstrated any public interest to weigh against the individuals' personal privacy interest, see United States Dep't of Justice v. Reporters Committee for Freedom of the Press, 489 U.S. 762, 776 (1989). Finally, the district court did not abuse its discretion when it declined to hold the FBI in contempt of its September 24, 2009 order. Broderick v. Donaldson, 437 F.3d 1226, 1234 (D.C. Cir. 2006).

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Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

**Per Curiam**