

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Brian Schlicher,

Complainant

against

Docket #FIC 2023-0494

Commissioner, State of Connecticut,  
Department of Emergency Services  
and Public Protection; and State of  
Connecticut, Department of  
Emergency Services and Public Protection,

Respondents

September 11, 2024

The above-captioned matter was heard as a contested case on April 22, 2024, at which time the complainant appeared and presented testimony, exhibits, and argument on the complaint. The respondents did not appear. The complainant, who is incarcerated, appeared via teleconference, pursuant to the January 2004 memorandum of understanding between the Commission and the Department of Corrections. See Docket No. CV 03-0826293, Anthony Sinchak v. FOIC et al, Superior Court, J.D. of Hartford at Hartford, Corrected Order dated January 27, 2004 (Sheldon, J.)

After the conclusion of the April 22, 2024 hearing, the respondents submitted a Motion to Reopen, which was granted by the Hearing Officer on April 23, 2024.

By email received and filed with the Commission on May 15, 2024, the respondents submitted the complainant's signed acknowledgement that: (i) he has received and/or inspected the records responsive to his request at issue in this case; and (ii) based on his receipt of such records, he was withdrawing such request.<sup>1</sup> The Commission takes administrative notice of such withdrawal.

Thereafter, by letter dated May 31, 2024<sup>2</sup>, the complainant informed the Commission that he had received the records responsive to his request. However, the complainant further stated that it was a "promptness and rights violation," enclosed a proposed exhibit, and requested that the Commission order the respondents to undergo Freedom of Information Act training in addition to the fine sought in his original complaint. As the complainant had previously

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<sup>1</sup> The signed acknowledgement indicated that: (i) the complainant received responsive records on May 6, 2024; and (ii) withdrew his request on May 14, 2024.

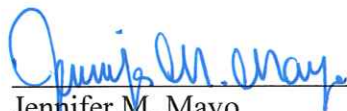
<sup>2</sup> The complainant's letter was received and filed with the Commission on June 5, 2024.

withdrawn his request 16 days earlier, the Commission lacks jurisdiction and will not consider the complainant's May 31 letter.

The following order is hereby recommended on the basis of the record concerning the above-captioned complaint:

1. Based on the withdrawal of the complaint, the case is hereby dismissed.

Approved by Order of the Freedom of Information Commission at its regular meeting of September 11, 2024.

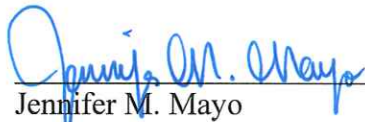
  
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Jennifer M. Mayo  
Acting Clerk of the Commission

PURSUANT TO SECTION 4-180(c), G.S., THE FOLLOWING ARE THE NAMES OF EACH PARTY AND THE MOST RECENT MAILING ADDRESS, PROVIDED TO THE FREEDOM OF INFORMATION COMMISSION, OF THE PARTIES OR THEIR AUTHORIZED REPRESENTATIVE.

THE PARTIES TO THIS CONTESTED CASE ARE:

**BRIAN SCHLICHER, #318918**, MacDougall-Walker Correctional Institution, 1153 East Street, South, Suffield, CT 06080

**RONNELL A. HIGGINS, COMMISSIONER, STATE OF CONNECTICUT, DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION; AND STATE OF CONNECTICUT, DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION**, 1111 Country Club Road, Middletown, CT 06457



Jennifer M. Mayo  
Acting Clerk of the Commission