

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

DENNIS FINBARR MURPHY,)

Plaintiff,)

v.)

**U.S. CUSTOMS AND BORDER
PROTECTION,**)

Defendant.)

Civil Action No. 3:15CV133

DEFENDANT’S MOTION FOR SUMMARY JUDGMENT

Now comes the Defendant, the United States Customs and Border Protection, by and through undersigned counsel, William J. Ihlenfeld, II, United States Attorney for the Northern District of West Virginia, and Erin K. Reisenweber, Assistant United States Attorney for said District, and respectfully submits this Motion for Summary Judgment. Because the defendant has responded to Plaintiff’s FOIA request and has provided Plaintiff with the responsive documents, Plaintiff’s claim is now moot. Defendant’s Motion is more fully supported by the Memorandum filed herewith.

Respectfully submitted,

WILLIAM J. IHLENFELD, II
UNITED STATES ATTORNEY

By: s/Erin K. Reisenweber
Erin K. Reisenweber
Assistant U.S. Attorney
United States Attorney’s Office
217 West King Street, Suite 400
Martinsburg, West Virginia 25401

CERTIFICATE OF SERVICE

I, Erin K. Reisenweber, Assistant United States Attorney for the Northern District of West Virginia, hereby certify that on June 3, 2016, I electronically filed the foregoing MOTION TO DISMISS, OR IN THE ALTERNATIVE, MOTION FOR SUMMARY JUDGMENT with the Clerk of the Court using the CM/ECF system, and I hereby certify that I have mailed, by United States Postal Service, the document to the following non-CM/ECF participant:

Dennis Finbarr Murphy
639 Michelle Drive
Hedgesville, WV 25427

WILLIAM J. IHLENFELD, II
UNITED STATES ATTORNEY

By: s/ Erin K. Reisenweber
Erin K. Reisenweber
Assistant United States Attorney
217 West King Street, Suite 400
Martinsburg, West Virginia 25401
(304) 262-0590 telephone
(304) 262-0591 fax