

'Presumption of Legitimacy'³¹^FN:31^ considering the above {given EXHIBIT Cv.6, as a

³¹ 'Presumption of Legitimacy':

A term utilized by the Supreme Court in NATIONAL ARCHIVES v. FAVISH, 541 U.S. 157, 174 (2004) - which is used outside Garner's definition from BLACK'S LAW DICTIONARY, 10th Ed. (2014), pg. 1378 (refers to 1379) (see FN:10 supra) - requires ALL parties hereof view the DOJ's, the DOJ's EOUSA's, and/or the WDOK's USAO's submission(s) to be their version of accurate, to the best of their knowledge (and belief); thusly, the DOJ, the DOJ's EOUSA and the WDOK's USAO do NOT (and must NOT) have the Appointment records requested, for the Supreme Court held:

A. The public FOIA officials that respond to a FOIA request acted responsibly and properly in the performance of their duties; reminding: "In DEPARTMENT OF STATE v. RAY, 502 U.S. 164, [178-179] ... (1991) we held there is a presumption of legitimacy accorded to the Government's official conduct", in the production of official documents (i.e. FOIA search results) (emphasis added); such that:

B. "However the rule is characterized, where the presumption is applicable, clear evidence is usually required to displace it. Cf. United States v. Armstrong, 517 US 456, 464 ... (1996) ("[I]n the absence of clear evidence to the contrary, courts presume that [Government agents] have properly discharged their official duties' [-while performing / conducting their FOIA responsibilities / duties])."

Additionally: In providing official documents or search results (i.e. through the instances of responding to any given FOIA Access Request), the Government's conduct is accorded the "presumption of legitimacy" because "[o]fficial records, such as [FOIA "responsive" (see EXHIBIT Cv.6) and "no responsive records" (see pg. 5 of 5 of EXHIBIT Cv.15) search results and the documents associated thereto], are entitled to a presumption of regularity and are accorded great evidentiary weight." (Emphasis added). HOBBBS v. BLACKBURN, 752 F.2d 1079, 1081-82 (5th Cir., 1985). Therefore - to reiterate: The DOJ, the DOJ's EOUSA, and the WDOK's USAO do NOT (and must NOT) have the Appointment records requested. NOTE: The original SIX (6) unique, Proper, and Reasonably Described FOIA Access Requests did NOT see / request any "lesser functionar[y]", "non-Officer [Government] employee[]" 5 U.S.C. §3331 oaths; ONLY 28 U.S.C. § 544 {for the § 542, AUSA - with a 28 C.F.R. § 0.137(b) 'Rider' attached thereto; conversely: It was expected the Officer's 5 U.S.C. § 3331 Oath would be "evidence[d]" - by (and through) "iii" of three attributes (i.e. AUSA) and by (and through) "v" of five attributes (i.e. "(a)(1)"-Acting USA), respectively - through the "evidences" preceding the "enter[ing]" or "taking [of] office"; such that, the 'Catalyst' of a 'Vacancy' creates the new attorney structure (see FIGURE TWO, below)).

REGARDING FIGURE TWO

By using the established method of representing Chemical Reactions, the representation of various Inferior and Principle U.S. Attorney Offices, as molecules, provides an excellent visualization. Here: The metaphorical AUSA Molecule has a Dipole-Dipole Ion Bond with the 28 C.F.R. § 0.137(b) element; however, in the presence of a 'Vacancy-Catalyst' the metaphorical 'Chemical Reaction' YIELDS {such that, the arrow represents the quality of 'Yielding' something different} a New Acting USA Molecule entirely different from the previous Dip-Dip Ion Bonded reacting agents - which makes sense given the Acting USA is a separate and distinct Office established by Law of Congress with its own 210-Day Term and greater "exercis[ed] significant authority".

Indeed: The 28 U.S.C. § 544 Oath was a "secondary" aspect (and, it was written as such, for the "primary" aspect, of what constituted the whole and total consideration) of the SIX (6) unique, Proper, and Reasonably Described, FOIA Access Requests was (and still is): "... all records, all documents, and all information pertaining to the actual appointment to the office of Assistant United States Attorney under Article II, § 2, Cl. 2 and 28 U.S.C. § 542." Given EXHIBIT ONE, Cv.6, Cv.15, and the other relevant Exhibits associated hereto: The DOJ, the DOJ's EOUSA, and/or the WDOK's USAO have (or have willingly not) replied to the mailed FOIA Access Request - which were received-in and forwarded-through and "integrated"-with the EBA's digital records, email, and process(es); such that, those SIX (6) unique, Proper, and Reasonably Described FOIA Access Requests - which were seen / reviewed by MORE than one Government official - stated: "This request includes any oath affidavits the above named person signed under 28 U.S.C. § 544." To be sure: Id. § 544 is the finishing touch (see GLAVEY v. US, 182 U.S. 595, 604-605 (1901); see paragraphs 175 and 176 supra).

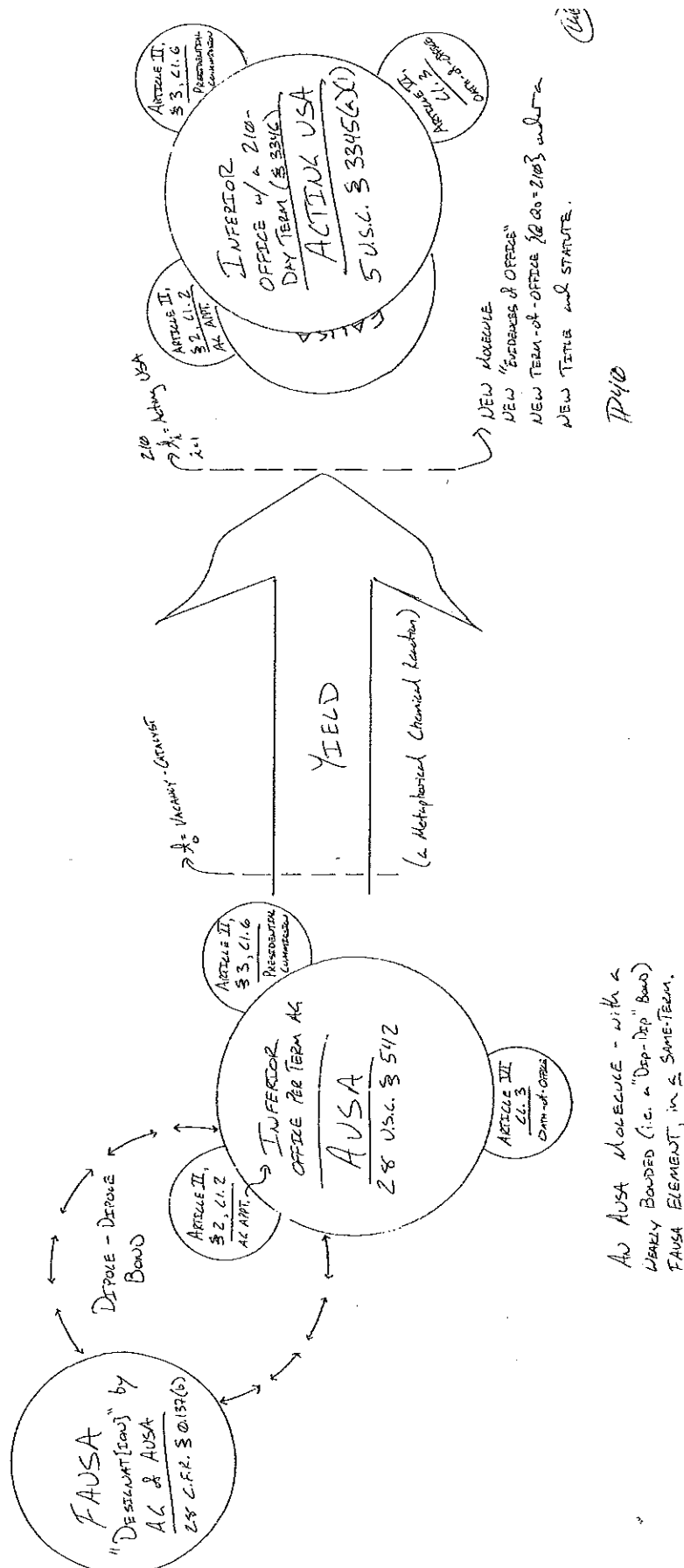


FIGURE THREE