

Friday, March 20, 2009

San Diego County Sheriff's Department
Assistant Sheriff Cooke
Law Enforcement Service Bureau
P.O Box 939062
San Diego, CA 92193-9062

NOTICE OF INTENT TO APPEAL AND REQUEST FOR ACCESS TO INFORMATION
HAND DELIVERED

I have received by denial letter from the San Diego Sheriff's Department dated March 17, 2009 and will be taking the steps necessary to appeal the decision to the Assistant Sheriff.

The letter of denial, a copy of which is attached to this appeal, states that I have the right to appeal the denial to Assistant Sheriff Cook, Law Enforcement Services Bureau without any stated time period in which the appeal must be made.

The notice of denial received is extremely vague as to the reason(s) given for the denial, and seems to imply in the second paragraph that "residency" may be one of the reasons for the denial.

In paragraphs three and five of the denial letter, Ms. Pelowitz appears to imply that the background investigation failed to validate an unspecified "primary criteria for issuance" together with statements that the "background investigation" and "lack of good cause" are also reasons for the denial.

In the interest of due process full disclosure of the investigative file is requested to formulate a proper and informative appeal.

The appellant Edward Peruta therefore requests access to the complete investigative file so that a proper and meaningful appeal may be prepared for presentation to Assistant Sheriff Cook in a timely fashion at some point in the future.

Without access to the full investigation file and findings of the investigator(s) (and any other relevant information), the appellant is left to guess regarding the specific reasons on which to address any appeal of the initial denial.

It is without question that the appellant Edward A. Peruta is currently unable to offer or present information or documents without first knowing the exact reasons for the denial.

In the interest of timeliness, I request that any response be made via email so that I may take advantage of the final administrative appeal of this decision in a timely manner.

Respectfully,



Edward A. Peruta edperuta@amcable.tv
3151 Driscoll Drive
San Diego, CA 92117

Cc: Attorney Paul Neuharth via email