



U.S. Department of Justice
Office of Information Policy
Suite 11050
1425 New York Avenue, NW
Washington, DC 20530-0001

Telephone: (202) 514-3642

November 25, 2014

Mr. David G. Pflum
110 West Bertrand
St. Marys, KS 66536

Re: OLP/15-00462 (F)
VRB:LAD:SBT

Dear Mr. Pflum:

This responds to your Freedom of Information Act (FOIA) request dated October 20, 2014, and received in this Office on October 28, 2014, for records pertaining to Oath of Office, Appointment Affidavits, Senate Confirmation document, and Presidential Commission for United States District Judge Daniel D. Crabtree of the District of Kansas, as well as records regarding your arrest. This response is made on behalf of the Office of Legal Policy.

Regarding the portion of your request pertaining to Judge Crabtree, please be advised that a search has been conducted in the Office of Legal Policy and four records, totaling four pages, were located that are responsive to your request. I have determined that three documents, totaling three pages, are appropriate for release without excision and copies are enclosed. Also enclosed is one document, totaling one page, that is appropriate for release with excisions made pursuant to Exemption 6 of the FOIA, 5 U.S.C. § 552(b)(6), which pertains to information the release of which would constitute a clearly unwarranted invasion of the personal privacy of a third party. None of the information being withheld is appropriate for discretionary disclosure.

Regarding the portion of your request pertaining to your arrest, please be advised that the FOIA provides a right of access to federal agency records that exist and can be located in federal agency files. The FOIA does not require agencies to conduct research for you, to analyze data, to answer questions, or to create new records in response to a FOIA request. Moreover, the FOIA does not apply to records that are maintained by states, counties, or cities, or by the legislative or judicial branches of the government. To the extent that you are seeking records of the Pottawatomie County [Kansas] Sheriff Office, you will need to contact that entity directly. The address is as follows:

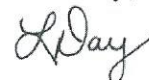
Pottawatomie County Sheriff Office
106 N 1st Street
Westmoreland, KS 66549

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. § 552(c) (2006 & Supp. IV 2013). This response is limited to those records that are subject to the

requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy, United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through this Office's eFOIA portal at www.justice.gov/oip/efoia-portal.html. Your appeal must be received within sixty days from the date of this letter. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,



for

Vanessa R. Brinkmann
Senior Counsel

Enclosures

OATH OF OFFICE FOR UNITED STATES JUDGES

(Title 28, Sec. 453 and Title 5, Sec. 3331, United States Code)

I, Daniel D. Crabtree, do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as United States District Judge for the District of Kansas under the Constitution and laws of the United States; and that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. SO HELP ME GOD.

Daniel D. Crabtree

(Signature of Appointee)

Subscribed and sworn to (or affirmed) before me this 13th day
of May, 2014.

Kathryn H. Vratel

Actual abode:

(b) (6)

Official station*

Topeka, Kansas

Date of birth

(b) (6)

Date of Entry on Duty

13 May 2014

* Title 28, sec. 456 United States Code as amended.

APPOINTMENT AFFIDAVITS

United States District Judge
(Position to which Appointed)

05/01/2014
(Date Appointed)

United States District Court
(Department or Agency)

District of Kansas
(Bureau or Division)

Kansas City, Kansas
(Place of Employment)

I, Daniel D. Crabtree, do solemnly swear (or affirm) that--

A. OATH OF OFFICE

I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

B. AFFIDAVIT AS TO STRIKING AGAINST THE FEDERAL GOVERNMENT

I am not participating in any strike against the Government of the United States or any agency thereof, and I will not so participate while an employee of the Government of the United States or any agency thereof.

C. AFFIDAVIT AS TO THE PURCHASE AND SALE OF OFFICE

I have not, nor has anyone acting in my behalf, given, transferred, promised or paid any consideration for or in expectation or hope of receiving assistance in securing this appointment.

Daniel D. Crabtree

(Signature of Appointee)

Subscribed and sworn (or affirmed) before me this 13th day of May, 2014

at Kansas City

(City)

Kansas

(State)

(SEAL)

Kathleen A. Vratil

(Signature of Officer)

Commission expires _____

(If by a Notary Public, the date of his/her Commission should be shown)

U.S. District Judge

(Title)

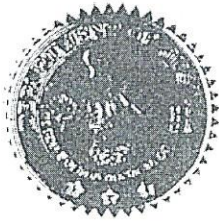
Note - If the appointee objects to the form of the oath on religious grounds, certain modifications may be permitted pursuant to the Religious Freedom Restoration Act. Please contact your agency's legal counsel for advice.

Barack Obama

President of the United States of America

To all, who shall see these Presents, Greeting:

Know Ye: That, reposing special trust, and confidence in the Wisdom, Uprightness, and Learning, of Daniel D. Crabbree, of Kansas, I have nominated, and, by and with the advice and consent of the Senate, do appoint him United States District Judge for the District of Kansas, and, I authorize, and empower him to execute, and fulfill, the duties of that Office, according to the Constitution, and Laws of the said United States, and, to Have, and, to Hold, the said Office, with all the powers, privileges, and emoluments, to the same, of right, appertaining, unto Him the said Daniel D. Crabbree during his good behavior



In testimony whereof, I have caused these Letters to be made patent and the seal of the Department of Justice, to be hereunto affixed.

Done at the City of Washington, this first day of May, in the year of our Lord, two thousand, fourteen, and of the Independence of the United States of America, the two hundred and thirty eighth.

By the President

Attorney General

Barack Obama
Eric Holder

Senate of the United States

IN EXECUTIVE SESSION

April 30, 2014

Resolved, That the Senate advise and consent to the following nomination:

Daniel D. Crabtree, of Kansas, to be United States District Judge for the District of Kansas, vice John W. Lungstrum, retired.

Attest:



Secretary.

