

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

JUDICIAL WATCH, INC.,)	
425 Third Street, SW, Suite 800)	
Washington, DC 20024,)	
)	
Plaintiff,)	
)	Civil Action No.
v.)	
)	
U.S. DEPARTMENT OF DEFENSE,)	
1400 Defense Pentagon)	
Washington, D.C. 20301,)	
)	
Defendant.)	
_____)	

COMPLAINT

Plaintiff Judicial Watch, Inc. brings this action against Defendant U.S. Department of Defense to compel compliance with the Freedom of Information Act, 5 U.S.C. § 552. As grounds therefor, Plaintiff alleges as follows:

JURISDICTION AND VENUE

1. The Court has jurisdiction over this action pursuant to 5 U.S.C. § 552(a)(4)(B) and 28 U.S.C. § 1331.
2. Venue is proper in this district pursuant to 28 U.S.C. § 1391(e).

PARTIES

3. Plaintiff Judicial Watch, Inc. is a not-for-profit, educational organization incorporated under the laws of the District of Columbia and headquartered at 425 Third Street SW, Suite 800, Washington, DC 20024. Plaintiff seeks to promote transparency, accountability, and integrity in government and fidelity to the rule of law. As part of its mission, Plaintiff regularly requests records from federal agencies pursuant to FOIA. Plaintiff analyzes the

responses and disseminates its findings and the requested records to the American public to inform them about “what their government is up to.”

4. Defendant U.S. Department of Defense is an agency of the United States Government and is headquartered at 1400 Defense Pentagon Washington, D.C. 20301. Defendant has possession, custody, and control of records to which Plaintiff seeks access.

STATEMENT OF FACTS

5. On June 2, 2025, Plaintiff submitted a FOIA request to U.S. Special Operations Command (USSOCOM), a component of Defendant, seeking access to records and communications about Zulkifli Abdhir, a.k.a. “Marwan,” a Malaysian national and one of the FBI’s Most Wanted terror suspects until his 2015 death in the Philippines during a Philippine Special Action Force raid. Plaintiff specifically requested the following records about Marwan:

1. Intelligence reports, assessments, or summaries concerning his activities, presence, or bomb-making in the Philippines.
2. Surveillance or reconnaissance records, including aerial imagery or signals intelligence, tracking Marwan in the Philippines.
3. Flight logs, mission briefs, tasking orders, or after-action reports for any unmanned aerial vehicles (UAVs) deployed in Philippine airspace in support of Oplan Exodus, from January 20 to January 31, 2015.
4. Live or recorded video surveillance footage captured by any U.S.-operated drone or UAV covering Mamasapano or surrounding areas on January 25, 2015.
5. Communications (including emails, texts, cables, chat logs) between U.S. military personnel, JSOTF-P, and Philippine security forces regarding real-time drone surveillance of the operation from January 20 to January 31, 2015.
6. Correspondence, emails, or memoranda between USSOCOM, Philippine Armed Forces, or the FBI referencing Marwan.

7. Records of training, equipment, or logistical support by USSOCOM or JSOTF-P to Philippine forces pursuing Marwan.
8. Threat assessments or profiles evaluating Marwan's risk, bomb-making, or affiliations.
9. Records of coordination with the FBI on Marwan's identification or death confirmation, including DNA analysis.

The date range of the request was identified as January 1, 2003 to the present.

6. The request was submitted via email to USSOCOM FOIA (FOIA@socom.mil).
7. By email dated June 27, 2025, Defendant acknowledged receipt of the request and advised Plaintiff that the request had been assigned number USSOCOM FOIA 2025-307.
8. As of the date of this Complaint, Defendant has failed to: (i) issue a final determination on the request; (ii) notify Plaintiff of any such determination or the reasons therefor; (iii) advise Plaintiff of the right to appeal any adverse determination; or (iv) produce the requested records or otherwise demonstrate that the requested records are exempt from production.

COUNT I
(Violation of FOIA, 5 U.S.C. § 552)

9. Plaintiff realleges paragraphs 1 through 8 as if fully stated herein.
10. Defendant is in violation of FOIA.
11. Plaintiff is being irreparably harmed by Defendant's violation of FOIA, and Plaintiff will continue to be irreparably harmed unless Defendant is compelled to comply with it.
12. Plaintiff has no adequate remedy at law.
13. To trigger FOIA's administrative exhaustion requirement, Defendant was required to make a final determination on Plaintiff's request by July 1, 2025. Because Defendant

failed to issue a final determination on Plaintiff's request within the time limits set by FOIA, Plaintiff is deemed to have exhausted its administrative appeal remedies.

WHEREFORE, Plaintiff respectfully requests that the Court: (1) order Defendant to conduct searches for any and all records responsive to Plaintiff's FOIA request and demonstrate that it employed search methods reasonably likely to lead to the discovery of records responsive to Plaintiff's FOIA request; (2) order Defendant to produce, by a date certain, any and all non-exempt records responsive to Plaintiff's FOIA request and *Vaughn* indices of any responsive records withheld under claim of exemption; (3) enjoin Defendant from continuing to withhold any and all non-exempt records responsive to Plaintiff's FOIA request; (4) grant Plaintiff an award of attorneys' fees and other litigation costs reasonably incurred in this action pursuant to 5 U.S.C. § 552(a)(4)(E); and (5) grant Plaintiff such other relief as the Court deems just and proper.

Dated: February 20, 2026

Respectfully submitted,

/s/ Jason Blaine Aldrich
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