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July 27, 2001

Robert Frenna
1041 E. Dutton Rd.
Eagle Point, Oregon 97524

Re: Petition for Public Records Disclosure Order:
Secretary of State Corporations Division Records

Dear Mr. Frenna:

This letter is the Attorney General's order on your petition for disclosure of records under the Oregon Public Records Law, ORS 192.410 to 192.505. Your petition, which we received on July 23, 2001, asks the Attorney General to order the Secretary of State to produce copies of the following records:

> CERTIFIED copies of the disciplinary actions against Notary Publics for the years 1998, 1999, 2000, and 2001. Please include the name, license, and business address of each notary, together with the name and address of the complainant. I am requesting information on only those notaries who have been disciplined.

The Public Records Law confers a right to inspect any public records of a public body in Oregon, subject to certain exemptions and limitations. *See* ORS 192.420. Any person who is denied the right to inspect or to receive a copy of any public record of a state agency may petition the Attorney General to review the record and determine if it may be withheld. ORS 192.450(1).

The Attorney General may order a state agency to disclose records only when the agency has denied a request for the records. *See* ORS 192.450(1). Thomas Wrosch of the Secretary of State's Corporations Division has informed us that the Office of the Secretary has not denied your request, but is completing a response that you should receive within five (5) days. Because the Secretary has not denied your request, your petition to this office is premature and the

Attorney General does not have jurisdiction to order disclosure. Accordingly, we respectfully deny your petition at this time.

Sincerely,

PETER D. SHEPHERD
Deputy Attorney General

AGS08229
c: Thomas Wrosch, Secretary of State Corporations Division