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September 19, 2006

Robert Earl Fort
SID 8370721
2605 State Street
Salem, OR 97310

Re: Petition for Public Records Disclosure Order:
Deschutes County Trial Court Records

Dear Mr. Fort:

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. We received your petition on September 13, 2006. The petition asks the Attorney General to direct the Deschutes County Trial Court Administrator to provide certified copies of an indictment, bench warrant, affidavit, and order of probable cause in Deschutes County case no. 90CR0393ST. For the reasons that follow, we respectfully deny your petition.

The Oregon 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. If a state agency denies a request for disclosure of records, the requestor may petition the Attorney General for review of the denial. However, 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).

Your petition, dated September 11, 2006, states you had not received any of the requested records from the Deschutes County Trial Court Administrator. We have been provided with copies of two letters sent to you by the Trial Court Administrator's office in response to your written request, which the Trial Court Administrator's office received on August 30, 2006. The second letter, dated September 18, 2006, states that certified copies of the records you requested are enclosed, and informs you that one of the records you requested does not exist. Because the Trial Court Administrator's office has disclosed all of the requested records that are in its custody, we deny your petition as moot.

Sincerely,

PETER D. SHEPHERD
Deputy Attorney General

AGS18493
cc: Ernest J. Mazorol, III, Deschutes County Trial Court Administrator
Nori Cross, Office of the State Court Administrator
Bruce Miller, Office of the State Court Administrator