'HARDY MYERS
ATTORNEY GENERAL

PETER D. SHEPHERD
DEPUTY ATTORNEY GENERAL



DEPARTMENT OF JUSTICE

1162 Court Street NE
Justice Building
Salem, Oregon 97301-4096
Telephone: (503) 378-4400
TTY: (503) 378-5938

August 10, 2005

Frank T. Mussell
Attorney at Law
1515 SW Fifth Ave, Ste 1022
Portland, OR 97201-5406

Re: Petition for Public Records Disclosure Order:
Oregon Board of Medical Examiners Records

Dear Mr. Mussell:

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 27, 2005, asks the Attorney General to order the Oregon Board of Medical Examiners to make available to you for inspection and copying the complaint the Board received regarding Sweet Medicine Nation and her alleged unlicensed practice of acupuncture. For the reasons that follow, we respectfully deny your petition.

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 denied the right to inspect or to receive a copy of a public record may petition the Attorney General to determine whether the record may be withheld from inspection. 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. *Id.*

Your petition states that Gary Stafford, Chief Investigator for the Board, denied your request. We spoke with Mr. Stafford regarding your petition. He told us that, upon further review, on behalf of the Board he has sent a copy of the complaint to you.

Because the Board has disclosed the requested record to you, we deny your petition as moot.

Sincerely,

PETER D. SHEPHERD
Deputy Attorney General

PMS/gvk:AGS16103

c: Gary Stafford, Oregon Board of Medical Examiners