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DEPARTMENT OF JUSTICE

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May 5, 2005

Linda Neyenesch
PO Box 533
Gold Beach, OR 97444

Re: *Petition for Public Records Disclosure Order:*
Fifteenth Judicial District Trial Court Records

Dear Ms. Neyenesch:

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 May 2, 2005, asks the Attorney General to direct the Trial Court Administrator for the Fifteenth Judicial District to produce a copy of:

> Discovery of investigation into Grievance filed by Neyenesch, denied (Approx. April 14, 2005) and omitted relevant information protesting court procedures and judicial errors.

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. ORS 192.410. Any person denied a right to inspect or receive a copy of a public record by a state agency or official may petition the Attorney General to review the record and determine if it may be withheld from disclosure. ORS 192.450(1).

We spoke with Bradd Swank, Special Counsel, Government Relations, of the Judicial Department about your petition and reviewed the April 14, 2005, letter sent to you by Ed Jones, the Fifteenth Judicial District Trial Court Administrator, in response to your grievance. After speaking with Mr. Jones, Mr. Swank told us that Mr. Jones has already provided you with a copy of the notice filed with the court, as identified in his April 14th letter. The only other records of the investigation were handwritten notes

concerning his interviews and the records he originally received from you.[1] According to Mr. Swank, Mr. Jones has agreed to send you copies of his interview notes. Because Mr. Jones has agreed to provide you with copies of the records responsive to your petition that have not as yet been disclosed, we deny your petition as moot.[2]

Sincerely,

PETER D. SHEPHERD
Deputy Attorney General

PDS/gvk:AGS15444
cc: Bradd Swank, Special Counsel,
Government Relations, Judicial Department
Ed Jones, Trial Court Administrator,
Fifteenth Judicial District

[1] Mr. Jones did not send you copies of the records you originally submitted on the assumption that you did not intend to request copies of records that you had provided. If he has misunderstood the scope of your request, Mr. Jones is willing to disclose the records upon receipt of clarification from you.

[2] This Public Records Order addresses only your petition for the disclosure of public records. The Attorney General's authority under the Public Records Law does not extend to other issues addressed in your petition, regarding the substance of your grievance about hearing assistance provided by the court. *See* ORS 192.450 (describing function of Attorney General on review of a petition for disclosure of records).