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December 3, 2014

Vincent Padgett
SID # 11782000
Oregon State Penitentiary
2605 State Street
Salem, Oregon 97310

Re: Petition for Public Records Order
Oregon Department of Corrections
DOJ File No. 291011-GA0114-14

Dear Mr. Padgett,

This letter is the Attorney General's order on your petition for public records order under the Oregon Public Records Law, ORS 192.410 *et seq*. Your petition, which we received on November 26, 2014, asks the Attorney General to order the Oregon Department of Corrections (ODOC) to provide you with copies of the following records:

(1) a six-page "kyte" that you authored;
(2) the misconduct report issued to you disciplinary case number 1409-OSP-0038-OSP-38; and
(3) the final disciplinary order issued on the misconduct report.

For the reasons that follow, we respectfully deny your petition as moot.

The Public Records Law confers a right to access any public record of a public body in Oregon, subject to certain exemptions and limitations. *See* ORS 192.420. The law requires generally that the custodian of public records furnish proper and reasonable opportunities for inspection and/or copying of the record in the office of the custodian. ORS 192.430. Any person 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 public record to determine if it may be withheld from public inspection. ORS 192.450(1).

Your petition states that you requested the records in question from ODOC on October 16, 2014, and that ODOC denied your request by failing to respond. We have spoken with Crystal Archdeacon, Executive Assistant to the Superintendent at the Oregon State Penitentiary, regarding your petition. Ms. Archdeacon informed us that ODOC staff have been unable to locate your request. However, Ms. Archdeacon told us that Superintendent Premo has agreed to treat your petition as a written request for the records in this instance, and to provide you with the records referenced in your petition.

Because Superintendent Premo has agreed to provide you with the records that you seek in your petition, we respectfully deny your petition as moot.

Sincerely,

STEVEN A. WOLF
Chief Counsel

cc via email only:
Crystal Archdeacon, DOC