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September 12, 2012

William Birhanzl, SID #6410207
Eastern Oregon Correctional Institution (EOCI)
2500 Westgate
Pendleton, OR 97801

Re: Petition for Public Records Disclosure Order
Oregon Department of Corrections Records
DOJ File Nos. 291011-GA0067-12 and 291011-GA0068-12

Dear Mr. Birhanzl:

This letter is the Attorney General's order in response to two petitions we received from you on September 6, 2012. Your petitions ask us to order the Oregon Department of Corrections (ODOC) to disclose to you certain records that you requested.

We have spoken with Eastern Oregon Correctional Institution staff regarding your request. They explain that your requests have not been denied. Per OAR 291-037-0015, you are required to direct your request to the functional unit manager with control of the record. And you are required to authorize ODOC to deduct the applicable fees from your inmate trust account. OAR 291-037-0020(3)(c). The requests that are the subject of your petition were not made in accordance with these requirements. Once your request has been properly made, ODOC states that it will provide you with any non-exempt records that are responsive to it.

Because ODOC has not denied your request, we respectfully deny your petition as premature.

Sincerely,

Mary H. Williams
Deputy Attorney General

MHW:nog/Justice #3637657
c: Ron Miles, DOC,
Rick Coursey, DOC