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January 23, 2024

Rafael Mora Contreras
SID #13935014
3405 Deer Park Dr. SE
Salem, OR 97310

Re: Petition for Public Records Disclosure Order
Oregon Department of Corrections
DOJ File No.: 291200-GA0011-24

Dear Mr. Contreras:

This letter responds to your letter, dated January 9, 2024 and received by us on January 19, 2024, relating to our recent dismissal of a petition filed by you. *See* Public Records Order, January 4, 2024, Contreras. Your prior petition asked this office to order the Oregon Department of Corrections (ODOC) to disclose the attachments to two e-mails that ODOC asserted were exempt in their entirety. We dismissed that petition after ODOC withdrew its prior denial and agreed to disclose what it determined to be the nonexempt portions of those records. *See* ORS 192.338 (duty to separate exempt and nonexempt material).

Although we understand that ODOC has not completed its response to your request, you now ask us to order ODOC to disclose the e-mail attachments to you without redactions because you do not believe they contain any confidential information. Under the circumstances, we must dismiss your new appeal as premature because there is no denial or partial denial for this office to review at this time. *See* ORS 192.411(1) (the Attorney General's authority in the public records petition context is generally limited to evaluating a state agency's denial or partial denial of a records request). As noted in our prior order, if ODOC redacts or continues to withhold the e-mail attachments when it completes its response, you may file a new petition with this office.

Sincerely,

Lisa M. Udland

LISA M. UDLAND
Deputy Attorney General

ACF/pjn
c via e-mail only: Michelle Dodson (ODOC)