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August 12, 2024

VIA E-MAIL ONLY: sllvolin@gmail.com

Stephanie Volin
29 South Valley Road
West Orange, NJ 07052

Re: Petition for Public Records Disclosure Order
Oregon Judicial Department, Linn County Circuit Court
DOJ File No.: 198040-GA0075-24

Dear Ms. Volin:

This letter is the Attorney General's response to your petition for disclosure under the Oregon Public Records Law, ORS 192.311 to 192.478. Your petition asks the Attorney General to order the Linn County Circuit Court to disclose the audio recording of a hearing conducted on August 5, 2024, in case 22DR00154.

Any person who has been denied the right to inspect or to receive a copy of any public records of a state agency may petition the Attorney General to determine whether the records may be withheld from public disclosure. *See* ORS 192.411(1). However, if an elected official claims the right to withhold the requested records from public disclosure, then "no petition to require disclosure may be filed with the Attorney General," and if a petition is filed, "it shall not be considered by the Attorney General * * *." ORS 192.427.

The Oregon Judicial Department informs us that the entire record in case 22DR00154, including past and future pleadings, was sealed on April 10, 2024, by Circuit Court Judge Brendan Kane. Because Judge Kane is an elected official who has exercised his authority to withhold the records you seek from public disclosure, ORS 192.427 bars the Attorney General from considering your petition. We therefore respectfully dismiss your petition.

Sincerely,

Lisa M. Udland

LISA M. UDLAND
Deputy Attorney General

ACF:pjn
c via e-mail only: Sam Dupree (OJD)